UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
SEVENTY-FIFTH CONGRESS
OF THE UNITED STATES OF AMERICA

1937

AND

TREATIES, INTERNATIONAL AGREEMENTS OTHER
THAN TREATIES, AND PROCLAMATIONS

COMPILED, EDITED, AND INDEXED BY AUTHORITY OF CONGRESS
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The original of every act and joint resolution printed in this volume has the following heading:

SEVENTY-FIFTH CONGRESS OF THE UNITED STATES OF AMERICA;

AT THE FIRST SESSION,

BEGUN AND HELD AT THE CITY OF WASHINGTON ON TUESDAY, THE FIFTH DAY OF JANUARY, ONE THOUSAND NINE HUNDRED AND THIRTY-SEVEN.

All bills and joint resolutions presented to the President of the United States bear the signatures of the Speaker (or of the Speaker *pro tempore*) of the House of Representatives and of the Vice President and President of the Senate (or of the President of the Senate *pro tempore*); those signatures accordingly appear on the originals of all acts and joint resolutions.

The signature of the President of the United States appears on the originals of all approved acts and joint resolutions.

The original of every act and joint resolution has endorsed thereon a certificate of origin, signed, as the case may be, by the Clerk of the House of Representatives or by the Secretary of the Senate and reading "I certify that this Act (or Joint Resolution) originated in the House of Representatives (or Senate)." The origin of each act and resolution contained in this volume is indicated in the margin at the beginning of each enactment; thus, for example, H. R. 1545 or H. J. Res. 81 indicates origin in the House of Representatives; and S. 416 or S. J. Res. 3 indicates origin in the Senate.

LIST OF PUBLIC LAWS

CONTAINED IN THIS VOLUME

THE SEVENTY-FIFTH CONGRESS OF THE UNITED STATES
FIRST SESSION, 1937

	Date	Page
Exportation of arms, etc., to Spain. JOINT RESOLUTION To prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain	January 8, 1937	3
Inaugural ceremonies, 1937, quartering of troops. JOINT RESOLUTION To provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies	January 14, 1937	4
Inaugural ceremonies, 1937, tax on admission tickets. JOINT RESOLUTION To exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937	January 18, 1937	4
Stabilization fund, time extension. AN ACT To extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised	January 23, 1937	4
Reconstruction Finance Corporation. AN ACT To continue the functions of the Reconstruction Finance Corporation, and for other purposes	January 26, 1937	5
Loans to farmers for crop production, etc., 1937. AN ACT To provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes	January 29, 1937	5
Joint Committee on Government Organization. JOINT RESOLUTION To create a joint congressional committee on Government organization	February 3, 1937	7
Appropriations, First Deficiency Act, 1937. AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes	February 9, 1937	8
Disaster Loan Corporation. AN ACT To provide for loans made necessary by floods or other catastrophes in the year 1937	February 11, 1937	19
Greater Texas and Pan American Exposition. JOINT RESOLUTION Authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition	February 12, 1937	19
Federal Housing Administration, debentures. JOINT RESOLUTION To extend for a period of two years the guarantee by the United States of debentures issued by the Federal Housing Administrator	February 19, 1937	20
Capital Auditorium Commission. AN ACT To create the Capital Auditorium Commission	February 20, 1937	20
Bridge, White River. AN ACT Granting the consent of Congress to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge across the White River at or near Eagle Rock, Missouri	February 24, 1937	20
Bridge, Delaware River. AN ACT To extend the time for completing the construction of a bridge across the Delaware River near Trenton, New Jersey	February 24, 1937	21
Health and sanitation, flood-stricken areas. JOINT RESOLUTION To make funds available for health and sanitation activities in the areas recently stricken by floods	February 24, 1937	21
International Exposition of Paris, 1937. JOINT RESOLUTION Relating to the participation by the United States in the International Exposition of Paris, 1937	February 25, 1937	22

	Date	Page
Common carriers, taxes. JOINT RESOLUTION To amend the Act entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935	February 27, 1937	23
Federal Reserve notes, collateral security. AN ACT To extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes	March 1, 1937	23
Justices of Supreme Court, retirement. AN ACT To provide for retirement of Justices of the Supreme Court	March 1, 1937	24
Foreign trade agreements. JOINT RESOLUTION To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended	March 1, 1937	24
Postal service, star-route contracts. JOINT RESOLUTION To authorize the Postmaster General to withhold the awarding of star-route contracts for a period of sixty days	March 2, 1937	24
Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kansas	March 4, 1937	24
Navy, gifts and bequests. AN ACT Authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the Office of Naval Records and Library, Navy Department	March 4, 1937	25
San Diego, Calif., exchange of lands. AN ACT To authorize the acceptance of certain lands in the city of San Diego, California, by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego	March 4, 1937	25
Snake River, flood control. AN ACT To provide a preliminary examination and survey of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of flood waters	March 4, 1937	26
Fishing industry products. AN ACT To authorize the purchase and distribution of products of the fishing industry	March 5, 1937	27
Bridge, Columbia River. AN ACT To extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oregon	March 10, 1937	27
Bridge, Coosa River. AN ACT Granting the consent of Congress to the State of Alabama, or Etowah County, or both, to construct, maintain, and operate a free highway bridge across the Coosa River at or near Gilberts Ferry in Etowah County, Alabama	March 10, 1937	27
Bridge, Savannah River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Lincolnton, Georgia	March 10, 1937	28
Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebraska	March 10, 1937	28
Turtle Bay, etc., Tex. AN ACT Declaring Turtle Bay and Turtle Bayou, Chambers County, Texas, to be nonnavigable waterways	March 10, 1937	28
Revenue Act of 1936, time extension, filing returns. JOINT RESOLUTION Authorizing the Commissioner of Internal Revenue to grant further extensions of time for filing returns under title III of the Revenue Act of 1936	March 13, 1937	29
Technical Tripartite Textile Conference. JOINT RESOLUTION To aid in defraying the expenses of the International Labor Office incident to holding its Technical Tripartite Textile Conference	March 15, 1937	29
District of Columbia Uniform Sales Act. AN ACT To regulate the sales of goods in the District of Columbia	March 17, 1937	29
Bridge, Missouri River. AN ACT To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, North Dakota	March 24, 1937	48
Bridge, Missouri River. AN ACT To further extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebraska, and Onawa, Iowa	March 24, 1937	48
Bridge, Missouri River. AN ACT To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near the cities of South Sioux City, Nebraska, and Sioux City, Iowa	March 24, 1937	48
Merchant seamen. AN ACT To amend section 4551 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., Supp. II, title 46, sec. 643)	March 24, 1937	49
National Gallery of Art. JOINT RESOLUTION Providing for the construction and maintenance of a National Gallery of Art	March 24, 1937	51

	Date	Page
Henry Ford and wife, donation. JOINT RESOLUTION To authorize the Administrator of Veterans' Affairs to accept title for the United States to certain real property to be donated by Mr. Henry Ford and wife for Veterans' Administration facility purposes	March 24, 1937	54
Greater Texas and Pan American Exposition, free entry of exhibits. JOINT RESOLUTION To permit articles imported from foreign countries for the purpose of exhibition at the Greater Texas and Pan-American Exposition, Dallas, Texas, to be admitted without payment of tariff, and for other purposes	March 27, 1937	55
Communications Act of 1934, Amendments. AN ACT To amend section 318 of the Communications Act of 1934	March 29, 1937	56
Alameda, Calif., naval air station. JOINT RESOLUTION To amend Public Law Numbered 780, Seventy-fourth Congress, to authorize the acquisition of lands in the city of Alameda, county of Alameda, State of California, as a site for a naval air station and to authorize the construction and installation of a naval air station thereon, for the purpose of making a correction therein	March 29, 1937	56
Inauguration day, 1937, D. C., pay of certain employees. JOINT RESOLUTION For the payment of certain employees of the United States Government in the District of Columbia and employees of the District of Columbia for January 20, 1937	March 29, 1937	56
U. S. Maritime Commission. JOINT RESOLUTION Declaring Joseph P. Kennedy eligible for appointment as a member of the United States Maritime Commission	March 30, 1937	57
Merchant Marine Act of 1936, amendment. AN ACT To amend section 704 of the Merchant Marine Act of 1936 (49 U. S. Stat. L. 2008–2009)	April 1, 1937	57
Insect pest and plant disease control. JOINT RESOLUTION Making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs	April 6, 1937	57
Greater Texas and Pan American Exposition. JOINT RESOLUTION Providing for the participation by the United States in the Greater Texas and Pan American Exposition to be held in the State of Texas during the year 1937	April 9, 1937	58
Fishing industry products. JOINT RESOLUTION To make funds available to carry out the provisions of existing law authorizing the purchase and distribution of products of the fishing industry	April 12, 1937	61
Great Lakes Exposition, 1937. JOINT RESOLUTION Providing for a continuance of the participation of the United States in the Great Lakes Exposition in the State of Ohio in 1937, and for other purposes	April 12, 1937	61
Cotton standards, etc., classification. AN ACT Authorizing the Secretary of Agriculture to provide for the classification of cotton, to furnish information on market supply, demand, location, condition, and market prices for cotton, and for other purposes	April 13, 1937	62
Pulaski's Memorial Day. JOINT RESOLUTION Authorizing the President of the United States of America to proclaim October 11, 1937, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski	April 13, 1937	62
Bowling alleys, D. C., Sunday closing hours. JOINT RESOLUTION To amend section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended	April 14, 1937	63
Navy, commissary privileges. AN ACT To amend an Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes", approved March 3, 1909, to extend commissary privileges to widows of officers and enlisted men of the Navy, Marine Corps, and Coast Guard and also to officers of the Foreign Service of the United States at foreign stations	April 14, 1937	63
Arms and ammunition, protecting public property, etc. AN ACT To amend that provision of the Act approved March 3, 1879 (20 Stat. L. 412), relating to issue of arms and ammunition for the protection of public money and property	April 14, 1937	63
Ninth judicial circuit, additional judges. AN ACT To provide for the appointment of two additional circuit judges for the ninth judicial circuit	April 14, 1937	64

	Date	Page
Government departments, exchange of equipment. AN ACT To authorize any Government department to exchange used parts of certain types of equipment for new or reconditioned parts of the same equipment	April 15, 1937	64
Anastasia Island Lighthouse Reservation, Fla. AN ACT To amend the Act entitled "An Act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Florida, and for other purposes", approved August 27, 1935, and for other purposes	April 15, 1937	64
Coast Guard, ordnance property purchases. AN ACT To enable Coast Guard officers to purchase articles of ordnance property for use in the public service in the same manner as such property may be purchased by officers of the Army, Navy, and Marine Corps	April 15, 1937	65
Oakland, Calif., public building. AN ACT Authorizing and empowering the Secretary of the Treasury to sell the old post-office building at Oakland, California, and to convey to the city of Oakland portions of the site for street-widening purposes in accordance with the provisions of public Act approved August 26, 1935 (49 Stat. 800)	April 15, 1937	65
Pennsylvania, issue of duplicate check. AN ACT For the relief of the State of Pennsylvania	April 15, 1937	66
Postage rates on matter for the blind. AN ACT To provide special rates of postage on matter for the blind	April 15, 1937	66
Coast Guard Academy, instruction staff. AN ACT To authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy	April 16, 1937	66
Quapaw Indians, Okla. AN ACT To amend the last two provisos, section 26, Act of Congress approved March 3, 1921 (41 Stat. L. 1225–1248)	April 17, 1937	68
Boy Scouts of America, loan of Army equipment. AN ACT To authorize the Secretary of War to lend War Department equipment for use at the World Jamboree to the Boy Scouts of America; and to authorize the Commissioner of Internal Revenue to remit the tax on steamship tickets; and further to authorize the Secretary of State to issue passports to bona-fide Scouts and Scouters without fee for the application or the issuance of said passports	April 17, 1937	68
District of Columbia, vocational rehabilitation. AN ACT To amend an Act entitled "An Act to provide for vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes" (Public, Numbered 801, Seventieth Congress)	April 17, 1937	69
Santa Rosa Band of Mission Indians, Calif. AN ACT To authorize the acquisition of six hundred and forty acres of land for the use and benefit of the Santa Rosa Band of Mission Indians, State of California	April 17, 1937	69
Los Angeles, Calif., exchange of land. AN ACT To authorize the Secretary of the Interior to exchange certain lands and water rights in Inyo and Mono Counties, California, with the city of Los Angeles, and for other purposes	April 20, 1937	70
National Housing Act, amendment. AN ACT To amend the National Housing Act	April 22, 1937	70
Postmasters, third- and fourth-class offices, ad interim service. AN ACT For payment of compensation to persons serving as postmaster at third- and fourth-class post offices	April 22, 1937	71
Capitan Grande Band of Mission Indians, land reservation. AN ACT To reserve certain public domain in California for the benefit of the Capitan Grande Band of Mission Indians	April 22, 1937	72
Books, etc., for adult blind. AN ACT To authorize an increase in the annual appropriation for books for the adult blind	April 23, 1937	72
Bituminous Coal Act of 1937. AN ACT To regulate interstate commerce in bituminous coal, and for other purposes	April 26, 1937	72
Deteriorated ammunition, use for agricultural purposes. AN ACT To repeal an Act of March 3, 1933, entitled "An Act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes"	April 26, 1937	94
Bridge, Mississippi River. AN ACT To extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near La Crosse, Wisconsin	April 26, 1937	94

	Date	Page
Flood Control Act of 1936, amendment. AN ACT To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936	April 27, 1937	95
Springfield Armory, Mass., right-of-way. AN ACT To authorize the Secretary of War to release a certain right-of-way no longer needed for military purposes at the Springfield Armory, Massachusetts	April 27, 1937	95
Central Heating Plant, D. C., service extension. AN ACT To authorize the furnishing of steam from the Central Heating Plant to the District of Columbia	April 27, 1937	95
Appropriations, Navy Department, etc., fiscal year 1938. AN ACT Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1938, and for other purposes	April 27, 1937	96
Postage rates, bills, etc., produced by mechanical process. AN ACT Relative to the classification of bills or statements of account produced by photostatic or mechanical process	April 27, 1937	119
Florida Southern Judicial District. AN ACT To amend an Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida, at Orlando, Florida", approved June 15, 1933	April 27, 1937	119
Simplification of accounting. AN ACT To simplify accounting	April 27, 1937	119
District of Columbia, prevention of blindness in infants. AN ACT To provide for the prevention of blindness in infants born in the District of Columbia	April 27, 1937	120
Insect pest and plant disease control, appropriation. JOINT RESOLUTION Making an appropriation for the control of outbreaks of insect pests	April 27, 1937	120
Neutrality Act of 1935, amendments. JOINT RESOLUTION To amend the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended	May 1, 1937	121
Fort Niagara, N. Y., reconstruction. AN ACT To authorize an appropriation for reconstruction at Fort Niagara, New York, to replace loss by fire	May 6, 1937	128
Great Britain, payment. AN ACT Authorizing an appropriation for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject	May 6, 1937	129
Netherlands, payment. AN ACT Authorizing an appropriation for payment to the Government of the Netherlands for the account of the family of Miguel Paula	May 6, 1937	129
France, payment. AN ACT Authorizing an appropriation for payment to the French Government for the account of Henry Borday, a citizen of France	May 6, 1937	129
Great Britain, payment. AN ACT Authorizing an appropriation for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Company, Limited	May 6, 1937	129
Canada, payment. AN ACT Authorizing an appropriation for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada	May 6, 1937	130
Chile, payment. AN ACT Authorizing an appropriation for payment to the Government of Chile for the account of Enriqueta Koch v. de Jeanneret, a citizen of Chile	May 6, 1937	130
China, payment. AN ACT Authorizing an appropriation for payment to the Government of China for the account of Li Po-tien	May 6, 1937	130
China, payment. AN ACT Authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens	May 6, 1937	130
Mexico, payment. AN ACT Authorizing an appropriation for the payment of the claim of General Higinio Alvarez, a Mexican citizen, with respect to lands on the Farmers Banco in the State of Arizona	May 6, 1937	131
China, payment. AN ACT Authorizing an appropriation for payment to the Government of China for the account of certain citizens of China	May 6, 1937	131

	Date	Page
China, payment. AN ACT Authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens	May 6, 1937	132
Dominican Republic, payment. AN ACT Authorizing an appropriation for payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, a Dominican subject	May 6, 1937	132
China, payment. AN ACT Authorizing an appropriation for payment to the Government of China for the account of Ling Mau Mau, a citizen of China	May 6, 1937	132
China, payment. AN ACT Authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens	May 6, 1937	133
Nicaragua, payment. AN ACT Authorizing an appropriation for payment to the Government of Nicaragua for the account of Mercedes V. de Williams and others	May 6, 1937	133
Great Britain, payment. AN ACT Authorizing an appropriation for payment to the Government of Great Britain for the account of certain British citizens	May 6, 1937	134
Chapman Field, Fla., settlement of claims. AN ACT To authorize the Attorney General to settle outstanding claims against Chapman Field, Florida, and for other purposes	May 6, 1937	135
Appropriations, emergent, fiscal year 1937. JOINT RESOLUTION To provide emergent appropriations for certain Federal activities for the remainder of the fiscal year ending June 30, 1937	May 14, 1937	135
Appropriations, Treasury and Post Office Departments, fiscal year 1938. AN ACT Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1938, and for other purposes	May 14, 1937	137
Deportation of certain aliens. AN ACT To amend section 23 of the Immigration Act of February 5, 1917 (39 Stat. 874), as amended (U. S. C., title 8, sec. 102)	May 14, 1937	164
Deportation of illegally-entered aliens. AN ACT To authorize the deportation of aliens who secured preference-quota or non-quota visas through fraud by contracting marriage solely to fraudulently expedite admission to the United States, and for other purposes	May 14, 1937	164
Scajaquada Creek, Erie County, N. Y. AN ACT Declaring Scajaquada Creek, Erie County, New York, to be a non-navigable stream	May 14, 1937	165
Emigration of Filipinos from the United States. AN ACT To extend the time for applying for and receiving benefits under the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935	May 14, 1937	165
Santa Maria River, flood control. AN ACT To authorize a preliminary examination and survey of Santa Maria River with a view to the control of its floods	May 14, 1937	166
Army ammunition storage facilities. AN ACT To authorize an appropriation for improvement of ammunition storage facilities at Camp Stanley, Texas, and Savanna Ordnance Depot, Savanna, Illinois	May 14, 1937	166
Civilian personnel stationed abroad, pay allotment. AN ACT Authorizing allotment of pay by civilian personnel stationed abroad	May 14, 1937	166
Boy Scouts, Army obsolete material. AN ACT To authorize the Secretary of War to dispose of material to the National Council of the Boy Scouts of America	May 15, 1937	167
Los Angeles, etc., Rivers, flood control. AN ACT To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936	May 15, 1937	167
Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebraska	May 15, 1937	167
Civil Service Commission. AN ACT To amend the law relating to residence requirements of applicants for examinations before the Civil Service Commission	May 15, 1937	168
Bridge, Merrimack River. AN ACT Granting the consent of Congress to the County Commissioners of Essex County, in the State of Massachusetts, to construct, reconstruct, maintain, and operate a free highway bridge across the Merrimack River between the city of Haverhill and the town of Groveland, Massachusetts	May 15, 1937	168
Veterans of Foreign Wars encampment, loan of equipment. AN ACT To authorize the Secretary of War to lend War Department equipment for use at the 1937 National Encampment of Veterans of Foreign Wars to be held in Buffalo and Niagara Falls, New York, from August 29 to September 3, 1937	May 15, 1937	168

	Date	Page
Counselor, Department of State. AN ACT To create the office of Counselor of the Department of State	May 18, 1937	169
Lake Pontchartrain, La., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station on Lake Pontchartrain, Louisiana, and for other purposes	May 18, 1937	169
Pass-a-Grille Beach, Fla., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station at or near Pass-a-Grille Beach, Florida	May 18, 1937	169
Appropriations, Legislative Branch, fiscal year 1938. AN ACT Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1938, and for other purposes	May 18, 1937	169
Golden Gate International Exposition, free entry of exhibits. JOINT RESOLUTION Providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, and for other purposes	May 18, 1937	187
Cooperative farm forestry. AN ACT To authorize cooperation in the development of farm forestry in the States and Territories, and for other purposes	May 18, 1937	188
Indian lands. AN ACT Amending section 2 of Public Law Numbered 716 of the Seventy-fourth Congress, being an Act entitled "An Act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes"	May 19, 1937	188
Communications Act of 1934, amendments. AN ACT To amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes	May 20, 1937	189
Trail, B. C., smelter arbitration, agent. AN ACT Limiting the operation of sections 109 and 113 of the Criminal Code with respect to the agent appointed to represent the United States of America in the arbitration proceedings between the United States of America and the Dominion of Canada for the final settlement of difficulties arising through complaints of damage done in the State of Washington by fumes discharged from the smelter of the Consolidated Mining and Smelting Company, Trail, British Columbia	May 20, 1937	198
Pan American Sanitary Conference, Tenth. JOINT RESOLUTION To authorize an appropriation for the expenses of participation by the United States in the Tenth Pan American Sanitary Conference	May 20, 1937	198
Japan, payment. AN ACT Authorizing an appropriation for payment to the Government of Japan for proposed deportation of enemy aliens from China during the World War	May 21, 1937	199
Congressional employees, etc., December salaries. JOINT RESOLUTION Authorizing the payment of salaries of the officers and employees of Congress for December on the 20th day of that month each year	May 21, 1937	199
Merchant seamen, graduates of school ships. AN ACT To provide that graduates of approved school ships may be rated as able seamen upon graduation, and for other purposes	May 22, 1937	199
Fort Snelling, Minn., post cemetery. AN ACT To amend the Act of June 23, 1936, authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minnesota	May 24, 1937	200
United Confederate Veterans' 1937 Reunion, Marine Band attendance. AN ACT To authorize the attendance of the Marine Band at the United Confederate Veterans' 1937 Reunion at Jackson, Mississippi, June 9, 10, 11, and 12, 1937	May 24, 1937	200
Southwestern Reformatory. AN ACT To authorize the transfer to the Attorney General of a portion of the Fort Reno Quartermaster Depot Military Reservation, Oklahoma, as a permanent site of the United States Southwestern Reformatory	May 24, 1937	200
Park River, Hartford County, Conn. AN ACT Declaring Park River, Hartford County, Connecticut, to be a nonnavigable waterway	May 24, 1937	201
Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Missouri	May 24, 1937	201
Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Saint Charles, Missouri	May 24, 1937	201

	Date	Page
Hudson Falls, N. Y., post office site. AN ACT For the exchange of land in Hudson Falls, New York, for the purpose of the post-office site	May 24, 1937	202
National Aviation Day, 1937. JOINT RESOLUTION Designating May 28, 1937, National Aviation Day	May 25, 1937	202
Soldiers' discharges, etc. AN ACT For the relief of soldiers who were discharged from the Army during the Spanish-American War, the Philippine Insurrection, and the Boxer Uprising because of minority or misrepresentation of age	May 25, 1937	203
Fort Myer, Va., portion for highway. AN ACT Authorizing the conveyance to the State of Virginia, for highway purposes only, of portions of the Fort Myer Military Reservation, Virginia, and for other purposes	May 25, 1937	203
State of Maine, release of accountability. AN ACT For the relief of the State of Maine	May 25, 1937	204
Connecticut River Valley reservoir. AN ACT To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936	May 25, 1937	204
Red-cedar shingles. AN ACT To authorize the Director of the Census to collect and publish statistics of red-cedar shingles	May 25, 1937	204
Tybee Island, Ga., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station on the coast of Georgia at or near Tybee Island	May 25, 1937	205
Holabird Quartermaster Depot, Md. AN ACT To authorize the Secretary of War to sell to the General Motors Corporation a tract of land comprising part of Holabird Quartermaster Depot, Baltimore, Maryland	May 25, 1937	206
Dallas, Tex., exchange of lands. AN ACT To provide for the exchange between the United States and The Union Terminal Company of certain properties in connection with the Parcel Post Building site at Dallas, Texas	May 25, 1937	206
Puerto Rico, exchange of lands. AN ACT To authorize the Secretary of War to transfer to the people of Puerto Rico certain real estate pertaining to the post of San Juan, San Juan, Puerto Rico, and for other purposes	May 26, 1937	207
Pere Jacques Marquette, tercentenary. JOINT RESOLUTION Authorizing the President to proclaim the tercentenary of the birth of Pere Jacques Marquette	May 27, 1937	207
Grand Coulee Dam project, Wash. AN ACT To prevent speculation in lands in the Columbia Basin prospectively irrigable by reason of the construction of the Grand Coulee Dam project and to aid actual settlers in securing such lands at the fair appraised value thereof as arid land, and for other purposes	May 27, 1937	208
Yakima Indian Reservation, Wash. AN ACT To reimpose a trust on certain lands allotted on the Yakima Indian Reservation	May 27, 1937	210
D. C. public schools, teaching, etc., communism. AN ACT To repeal a proviso relating to teaching or advocating communism in the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936	May 28, 1937	211
Hawaii, bond issues. AN ACT To amend the Act entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935	May 28, 1937	211
Disaster Loan Corporation, lending authority. JOINT RESOLUTION To extend the lending authority of the Disaster Loan Corporation to apply to flood disasters in the year 1936	May 28, 1937	211
Golden Gate International Exposition, 1939, copyrights, etc. JOINT RESOLUTION To protect the copyrights and patents of foreign exhibitors at the Golden Gate International Exposition, to be held at San Francisco, California, in 1939	May 28, 1937	211
Appropriations, Second Deficiency Act, fiscal year 1937. AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1937, and June 30, 1938, and for other purposes	May 28, 1937	213
Social Security Board, old-age assistance. JOINT RESOLUTION Making an appropriation to enable the Social Security Board to make payments of grants to States for old-age assistance for the fiscal year 1937	May 28, 1937	238

	Date	Page
San Francisco Bay, Calif., naval air station. AN ACT To authorize the establishment of a naval air station on San Francisco Bay, California, and for other purposes	May 28, 1937	238
Kanosh Indian Reservation, Utah. AN ACT To reserve certain lands in the State of Utah for the Kanosh Band of Paiute Indians	May 28, 1937	239
Shivwitz Indian Reservation, Utah. AN ACT To reserve certain lands in the State of Utah for the Shivwitz Band of Paiute Indians	May 28, 1937	239
Great Lakes Exposition, 1937, free entry of exhibits. JOINT RESOLUTION Providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at Great Lakes Exposition to be held at Cleveland, Ohio, beginning in May 1937, and for other purposes	May 28, 1937	240
Koosharem Indian Reservation, Utah. AN ACT To reserve certain lands in the State of Utah for the Koosharem Band of Paiute Indians	May 28, 1937	241
Bridge, Potomac River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Potomac River at or near Dahlgren, Virginia	May 29, 1937	241
World War Veterans' Act, amendment. AN ACT To amend existing law to provide privilege of renewing expiring five-year level-premium term policies for another five-year period	June 1, 1937	241
Bridge, Ohio River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Indiana, and Owensboro, Kentucky	June 2, 1937	243
Hot Springs National Park, Ark., jurisdiction. AN ACT To accept the cession by the State of Arkansas of jurisdiction over all lands now or hereafter included within the Hot Springs National Park, Arkansas, and for other purposes	June 2, 1937	243
Benton Harbor Canal, Mich. AN ACT To declare the Benton Harbor Canal at and above the west line of Ninth Street, Benton Harbor, Michigan, a nonnavigable stream	June 2, 1937	243
Bridge, Mississippi River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois	June 2, 1937	244
Bridge, Pearl River. AN ACT Granting the consent of Congress to the State of Mississippi to construct, maintain, and operate a free highway bridge across Pearl River at or near Jackson, in Hinds County, Mississippi	June 2, 1937	244
Bridges, Lake Michigan. AN ACT To extend the time for completing the construction of two bridges, one across a part of Lake Michigan at or near the entrance to the Chicago River, Illinois, and the other across the Michigan Canal or Ogden Slip, in city of Chicago, Illinois	June 2, 1937	244
Bridges, Allegheny County, Pa. AN ACT To extend the times for commencing and completing the construction of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pennsylvania	June 2, 1937	245
Government-owned establishments, obligation of funds for work at. AN ACT Authorizing the obligation of funds for work at Government-owned establishments	June 2, 1937	245
Amoy, China, sale of lot. AN ACT To authorize the Secretary of State to sell, for a price, transfer, and convey the title, rights, and interest of this Government in a lot situated at Sin' Lu T'ou Jetty, Kulangsu, Amoy, China	June 3, 1937	246
Agricultural Marketing Agreement Act of 1937. AN ACT To reenact and amend provisions of the Agricultural Adjustment Act, as amended, relating to marketing agreements and orders	June 3, 1937	246
International Dairy Congress, Eleventh. JOINT RESOLUTION To authorize an appropriation for the expenses of participation by the United States in the Eleventh International Dairy Congress, Berlin, Germany, in 1937	June 3, 1937	249
Confederate Veterans' Reunion, Marine Band attendance. JOINT RESOLUTION Making an appropriation for expenses of the Marine Band in attending the United Confederate Veterans' Reunion at Jackson, Mississippi, in 1937	June 8, 1937	250
Bridge, Mobile Bay. AN ACT To extend the times for commencing and completing the construction of a bridge and causeway across the water between the mainland, at or near Cedar Point, and Dauphin Island, Alabama	June 9, 1937	250

	Date	Page
Bridge, Potomac River. AN ACT Authorizing the State Roads Commission of the State of Maryland and the State Highway Department of the State of Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Point of Rocks in Frederick County and a point near the south end of Loudoun County to take the place of a bridge destroyed by flood in 1936	June 9, 1937	250
Bridge, Columbia River. AN ACT Authorizing the county of Wahkiakum, a legal political subdivision of the State of Washington, to construct, maintain, and operate a free highway bridge across the Columbia River between Puget Island and the mainland, Cathlamet, State of Washington	June 9, 1937	251
Bridge, Mississippi River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Mississippi River between Saint Louis, Missouri, and Stites, Illinois	June 9, 1937	251
Coast Guard, retired officers. AN ACT To adjust the rank of certain Coast Guard officers on the retired list	June 9, 1937	252
American Legion Museum, Newport News, Va. AN ACT To authorize the Works Progress Administration to lend or give World War relics and other property at Fort Eustis, Virginia, to the American Legion Museum at Newport News, Virginia	June 10, 1937	252
Joint Congressional Committee on Tax Evasion and Avoidance. JOINT RESOLUTION To create a Joint Congressional Committee on Tax Evasion and Avoidance	June 11, 1937	253
New York World's Fair, 1939, copyrights. JOINT RESOLUTION To protect the copyrights and patents of foreign exhibitors at the New York World's Fair, to be held at New York City, New York, in 1939	June 11, 1937	254
San Francisco, Calif., cemetery. AN ACT To authorize the acquisition of land for cemeterial purposes in the vicinity of San Francisco, California	June 11, 1937	256
Interstate, etc., shipment of petroleum products. AN ACT To continue in effect until June 30, 1939, the Act entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", approved February 22, 1935	June 14, 1937	257
National Education Association of the United States, charter amendments. AN ACT To amend the Act entitled "An Act to incorporate the National Education Association of the United States", approved June 30, 1906, as amended	June 14, 1937	257
Alaska, municipal bonds. AN ACT To amend Public Law Numbered 626, Seventy-fourth Congress	June 14, 1937	258
Illinois Waterway, improvement, etc. JOINT RESOLUTION Authorizing a modification in the existing project for the improvement of the Illinois Waterway, Illinois, and the abandonment of a portion of the Calumet River	June 14, 1937	258
U. S. S. Tulip, memorial. AN ACT Authorizing an appropriation for the creation of a memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the United States ship Tulip near Saint Inigoes Bay, Maryland, on November 11, 1864, and for other purposes	June 15, 1937	259
Department of Labor, statistical studies. AN ACT To authorize the Department of Labor to continue to make special statistical studies upon payment of the cost thereof, and for other purposes	June 15, 1937	259
Maine coast, Coast Guard stations, establishment. AN ACT To provide for the establishment of Coast Guard stations along the Maine coast	June 15, 1937	259
Washington eastern judicial district. AN ACT To amend section 112 of the Judicial Code, to provide for the inclusion of Whitman County, Washington, in the northern division of the eastern district of Washington	June 15, 1937	260
San Francisco Bay, Coast Guard air station. AN ACT Authorizing the Secretary of the Treasury to establish a Coast Guard air station at the San Francisco Airport; to provide for quick rescue facilities on the San Francisco Bay; to strengthen the Immigration and Customs Service patrol; and for other purposes	June 15, 1937	260
Albert Gallatin statue, Washington, D. C. JOINT RESOLUTION Authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, District of Columbia	June 15, 1937	260

	Date	Page
Appropriations, State, Justice, Commerce, and Labor Departments, etc., fiscal year 1938. AN ACT Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1938, and for other purposes	June 16, 1937	261
Homestead, etc., entrymen. AN ACT To further extend the period of time during which final proof may be offered by homestead and desert-land entrymen	June 16, 1937	303
Customs, night, etc., clearances. AN ACT To expedite the dispatch of vessels from certain ports of call	June 16, 1937	303
Military Academy, admission of Olmedo Alfaro. JOINT RESOLUTION Authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Olmedo Alfaro, a citizen of Ecuador	June 18, 1937	303
Death penalty, infliction. AN ACT To provide for the manner of inflicting the punishment of death	June 19, 1937	304
Inland Waterways Corporation. AN ACT To amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended; authorizing the Secretary of War to extend the services and operations of the Inland Waterways Corporation to the Savannah River	June 19, 1937	304
Federal Register Act, amendment. AN ACT To amend the Federal Register Act	June 19, 1937	304
Pensions, Reserve officers, etc. AN ACT To amend the provisions of the pension laws for peace-time service to include Reserve officers and members of the Enlisted Reserves	June 23, 1937	305
Battle of Antietam, commemorative coinage. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Antietam	June 24, 1937	306
Public lands, mining claims assessments. AN ACT Providing for the suspension of annual assessment work on mining claims held by location in the United States	June 24, 1937	306
Railroad Retirement Act of 1937. AN ACT To amend an Act entitled "An Act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes", approved August 29, 1935	June 24, 1937	307
Civilian Conservation Corps. AN ACT To establish a Civilian Conservation Corps, and for other purposes	June 28, 1937	319
Norfolk, Va., commemorative coinage. AN ACT To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the original Norfolk (Virginia) land grant and the two-hundredth anniversary of the establishment of the city of Norfolk, Virginia, as a borough	June 28, 1937	322
Federal Surplus Commodities Corporation. AN ACT To extend the time for purchase and distribution of surplus agricultural commodities for relief purposes and to continue the Federal Surplus Commodities Corporation	June 28, 1937	323
Territorial papers of the United States. AN ACT To further amend an Act entitled "An Act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives", approved March 3, 1925, as amended	June 28, 1937	323
World War memorials in Europe, dedication. JOINT RESOLUTION Making an appropriation to defray expenses incident to the dedication of chapels and other World War memorials erected in Europe, and for other purposes	June 28, 1937	324
Menominee, Mich., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station at or near Menominee, Michigan	June 28, 1937	325
Manistique, Mich., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station at or near Manistique, Michigan	June 28, 1937	325
Northern Pacific Halibut Act of 1937. AN ACT For the protection of the northern Pacific halibut fishery	June 28, 1937	325
Northwest Territory Celebration Commission. JOINT RESOLUTION To provide for the publication and sale by the Northwest Territory Celebration Commission of certain historical and educational material	June 28, 1937	328
Soil Conservation and Domestic Allotment Act, amendment. AN ACT To extend the period during which the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act may be carried out by payments by the Secretary of Agriculture to producers	June 28, 1937	329

	Date	Page
Appropriations, Independent Offices, fiscal year 1938. AN ACT Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, and for other purposes	June 28, 1937	329
Appropriations, Emergency Relief, 1937. JOINT RESOLUTION Making appropriations for relief purposes	June 29, 1937	352
Internal revenue and postage rates. JOINT RESOLUTION To provide revenue, and for other purposes	June 29, 1937	358
Appropriations, District of Columbia, fiscal year 1938. AN ACT Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1938, and for other purposes	June 29, 1937	359
Appropriations, Department of Agriculture, etc., fiscal year 1938. AN ACT Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes	June 29, 1937	395
Carriers Taxing Act of 1937. AN ACT To levy an excise tax upon carriers and certain other employers and an income tax upon their employees, and for other purposes	June 29, 1937	435
Sioux Indians of Pine Ridge Reservation, S. Dak. AN ACT To authorize an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. L. 484), and for other purposes	June 29, 1937	441
International Congress of Architects. JOINT RESOLUTION To provide that the United States extend to foreign governments invitations to participate in the International Congress of Architects to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session	June 29, 1937	441
Appropriations, Military Establishment, fiscal year 1938. AN ACT Making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes	July 1, 1937	442
Extension of Appropriations Act, 1938. AN ACT Making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations	July 1, 1937	468
Appropriations, Civilian Conservation Corps, etc., fiscal year 1938. JOINT RESOLUTION Making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the Railroad Retirement Account, and other activities, and for other purposes	July 1, 1937	469
Bridge, Missouri River. AN ACT To amend the Act relating to the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, approved June 10, 1930, and for other purposes	July 2, 1937	471
U. S. Court of Appeals for District of Columbia. AN ACT To provide for the representation of the United States Court of Appeals for the District of Columbia on the annual conference of senior circuit judges	July 5, 1937	473
Iowa judicial districts. AN ACT To transfer Crawford County, Iowa, from the southern judicial district of Iowa to the Northern judicial district of Iowa	July 5, 1937	474
Bridge, Puget Sound. AN ACT To extend the times for commencing and completing the construction of a bridge across Puget Sound at or near a point commonly known as The Narrows in the State of Washington	July 5, 1937	474
Livingston, Mont., terms of court. AN ACT To provide for a term of court at Livingston, Montana	July 5, 1937	474
Bridge, Wabash River. AN ACT To extend times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Indiana	July 5, 1937	475
Seeing-eye, etc., dogs. AN ACT To amend the Interstate Commerce Act	July 5, 1937	475
Bridge, Potomac River. AN ACT Authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River in Washington County, Maryland, at or near a point opposite Shepherdstown, West Virginia, and a point at or near Shepherdstown, Jefferson County, West Virginia, to take the place of a bridge destroyed by flood	July 5, 1937	475

	Date	Page
Bridge, Potomac River. AN ACT Authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Hancock, in Washington County, Maryland, and a point near the north end of Morgan County, West Virginia, to take the place of a bridge destroyed by flood	July 5, 1937	476
Bridge, Missouri River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebraska	July 5, 1937	477
Bridge, Snake River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Snake River between Clarkston, Washington, and Lewiston, Idaho	July 5, 1937	177
Passenger vessels, sprinkler systems. JOINT RESOLUTION To amend the Act entitled "An Act to amend section 4471 of the Revised Statutes of the United States, as amended"	July 5, 1937	477
Naval, etc., Academies, bachelor of science degree. AN ACT To amend the Act of May 25, 1933 (48 Stat. 73)	July 8, 1937	477
Old Fort Niagara Association, lease of land. AN ACT To authorize the Secretary of War to lease to Old Fort Niagara Association, Incorporated, portions of the Fort Niagara Military Reservation, New York	July 8, 1937	478
Panama Canal, employees. AN ACT Authorizing cash relief for certain employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act	July 8, 1937	478
Government Losses in Shipment Act. AN ACT To dispense with the necessity for insurance by the Government against loss or damage to valuables in shipment, and for other purposes	July 8, 1937	479
Girl Guides, etc., Silver Jubilee Camp, 1937. AN ACT To permit the temporary entry into the United States under certain conditions of alien participants and officials of the World Association of Girl Guides and Girl Scouts Silver Jubilee Camp to be held in the United States in 1937	July 8, 1937	484
Montana, mineral patents. AN ACT Validating and confirming certain mineral patents issued for lands situated in township 5 south, range 15 east, Montana principal meridian, in the State of Montana	July 8, 1937	485
Yosemite National Park, Calif., addition. AN ACT To provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes	July 9, 1937	485
Canal Zone, air navigation rules, etc. AN ACT To amend the Canal Zone Code	July 9, 1937	486
Federal Credit Union Act, amendment. AN ACT To amend Public Act Numbered 467, Seventy-third Congress, entitled "Federal Credit Union Act"	July 9, 1937	487
Bottling in Bond Act, amendment. AN ACT To amend the stamp provisions of the Bottling in Bond Act	July 9, 1937	487
Golden Gate International Exposition, 1939. JOINT RESOLUTION Providing for the participation of the United States in the world's fair to be held by the San Francisco Bay Exposition, Incorporated, in the city of San Francisco during the year 1939, and for other purposes	July 9, 1937	488
New York World's Fair 1939. JOINT RESOLUTION Authorizing Federal participation in the New York World's Fair 1939	July 9, 1937	493
Alaska, code of criminal procedure, amendments. AN ACT To amend section 460, chapter 44, title II, of the Act entitled "An Act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended	July 10, 1937	497
Hawaiian Homes Commission Act, 1920, amendments. AN ACT To amend the Hawaiian Homes Commission Act, 1920	July 10, 1937	497
Hawaii, sewer bonds. AN ACT To enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds	July 10, 1937	507
Hawaii, slum clearance, etc. AN ACT To authorize the Legislature of the Territory of Hawaii to create a public corporate authority authorized to engage in slum clearance and housing undertakings and to issue bonds of the authority, to authorize said legislature to provide for financial assistance to said authority by the Territory and its political subdivisions, and for other purposes	July 10, 1937	508

	Date	Page
Hawaii, bond issue. AN ACT To enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes	July 10, 1937	508
Hawaii, bond issue. AN ACT To amend an Act entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935	July 10, 1937	509
Canal Zone Code, amendments. AN ACT To amend the Canal Zone Code	July 10, 1937	509
Panama Railroad Company, disposal of lands. JOINT RESOLUTION Authorizing the disposal of certain lands held by the Panama Railroad Company on Manzanillo Island, Republic of Panama	July 10, 1937	511
Civil Service Retirement Act, amendments. AN ACT To extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to certain employees in the legislative and judicial branches of the Government	July 13, 1937	512
Extension of Appropriations Act, 1938, amendment. AN ACT Making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937	July 16, 1937	514
Insect pest control. JOINT RESOLUTION Making an appropriation for the control of outbreaks of insect pests	July 17, 1937	514
Appropriations, War Department civil functions, fiscal year 1938. AN ACT Making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes	July 19, 1937	515
Federal land-bank loans. AN ACT To extend for one additional year the 3½-per-centum interest rate on certain Federal land-bank loans, to provide a 4-per-centum interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-per-centum interest rate on Land Bank Commissioner's loans for a period of two years	July 22, 1937	521
Bankhead-Jones Farm Tenant Act. AN ACT To create the Farmers' Home Corporation, to promote more secure occupancy of farms and farm homes, to correct the economic instability resulting from some present forms of farm tenancy, and for other purposes	July 22, 1937	522
Mississippi River, locks and dams. AN ACT To confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of contractors for excess costs incurred while constructing navigation dams and locks on the Mississippi River and its tributaries	July 23, 1937	533
Civil service, marital status. AN ACT To amend the Civil Service Act approved January 16, 1883 (22 Stat. 403), and for other purposes	July 26, 1937	533
Military Academy cadets, selections by Governor of Panama Canal. AN ACT To amend the Act approved June 7, 1935 (Public, Numbered 116, Seventy-fourth Congress; 49 Stat. 332), to provide for an additional number of cadets at the United States Military Academy, and for other purposes	July 26, 1937	534
Rogue River National Forest, Oreg., addition. AN ACT To add certain lands to the Rogue River National Forest in the State of Oregon	July 27, 1937	534
War Department, samples of supplies, etc., to prospective manufacturers. AN ACT To authorize the Secretary of War to sell, loan, or give samples of supplies and equipment to prospective manufacturers	July 27, 1937	535
Bridge, Piscataqua River. AN ACT Authorizing The Maine-New Hampshire Interstate Bridge Authority to construct, maintain, and operate a toll bridge across the Piscataqua River at or near Portsmouth, State of New Hampshire	July 28, 1937	535
Papago Indian Reservation, Ariz. AN ACT To extend the boundaries of the Papago Indian Reservation in Arizona	July 28, 1937	536
Marine Corps, officer assignments, etc. AN ACT To authorize the assignment of officers of the line of the Marine Corps to assistant quartermaster and assistant paymaster duty only, and for other purposes	July 28, 1937	537
Chickasaw Indians, Okla., sale of dormitory properties. AN ACT Providing for the sale of the two dormitory properties belonging to the Chickasaw Nation or Tribe of Indians, in the vicinity of the Murray State School of Agriculture at Tishomingo, Oklahoma	July 28, 1937	537
Maine-New Hampshire Interstate Bridge Authority. AN ACT Granting the consent of Congress to a compact entered into by the States of Maine and New Hampshire for the creation of The Maine-New Hampshire Interstate Bridge Authority	July 28, 1937	538

	Date	Page
Bridge, Missouri River. AN ACT Granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Montana	July 28, 1937	542
Bridge, Wabash River. AN ACT Granting the consent of Congress to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge across the Wabash River at or near Lockport, Indiana	July 28, 1937	542
Bridge, Merrimack River. AN ACT Granting the consent of Congress to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Massachusetts, or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge across the Merrimack River at Lowell	July 28, 1937	543
Grand Army Encampment, Marine Band attendance. AN ACT To authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic to be held at Madison, Wisconsin, September 5 to 10, inclusive, 1937	July 28, 1937	543
Steam vessel regulation. AN ACT To amend section 4450 of the Revised Statutes of the United States, as amended by the Act of May 27, 1936 (49 Stat. 1380, 1383; U. S. C., 1934 edition, title 46, sec. 239)	July 29, 1937	544
Navy, auxiliary vessel construction. AN ACT To authorize the construction of certain auxiliary vessels for the Navy	July 30, 1937	544
Twin River Point Lighthouse Reservation, Wis. AN ACT To authorize the conveyance by the United States to the State of Wisconsin of a portion of the Twin River Point Lighthouse Reservation, and for other purposes	July 30, 1937	545
Columbia, Tenn., court accommodations. AN ACT To amend section 107, as amended, of the Judicial Code so as to eliminate the requirement that suitable accommodations for holding court at Columbia, Tennessee, be provided by the local authorities	July 30, 1937	546
Cayuga, etc., Creeks, N. Y., flood control. AN ACT To authorize a preliminary examination and survey of Cayuga, Buffalo, and Cazenovia Creeks, New York, with a view to the control of their floods	July 30, 1937	546
Beaver Bay, Minn., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station at or near Beaver Bay, Minnesota	July 30, 1937	546
Saint Augustine, Fla., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station at or near Saint Augustine, Florida	July 30, 1937	546
Green Bay and Mississippi Canal Company, easement. AN ACT To provide for the relinquishment of an easement granted to the United States by the Green Bay and Mississippi Canal Company	July 30, 1937	547
Louisville, Ky., post office, etc. AN ACT To repeal the limitation on the sale price on the old post office and courthouse site and building at Fourth and Chestnut Streets, Louisville, Kentucky	July 30, 1937	547
Coast Guard, enlistments. AN ACT To amend the laws relating to enlistments in the Coast Guard, and for other purposes	July 30, 1937	547
Palisades Interstate Park, N. Y., property conveyance. AN ACT To authorize the Secretary of Commerce to convey to the Commissioners of the Palisades Interstate Park, a body politic of the State of New York, certain portions of the Stony Point Light Station Reservation, Rockland County, New York, including certain appurtenant structures, and for other purposes	July 30, 1937	549
Coast Guard, pay adjustments. AN ACT To adjust the pay of certain Coast Guard officers on the retired list who were retired because of physical disability originating in line of duty in time of war	July 30, 1937	550
World's Poultry Congress, etc., Seventh. JOINT RESOLUTION Authorizing Federal participation in the Seventh World's Poultry Congress and Exposition to be held in the United States in 1939	July 30, 1937	550
Yellowstone River, division of waters. AN ACT Granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River	August 2, 1937	551
Marihuana Tax Act of 1937. AN ACT To impose an occupational excise tax upon certain dealers in marihuana, to impose a transfer tax upon certain dealings in marihuana, and to safeguard the revenue therefrom by registry and recording	August 2, 1937	551
Shenandoah Memorial, Ava, Ohio. AN ACT To permit the erection of the Shenandoah Memorial in or near Ava, Ohio	August 2, 1937	557

	Date	Page
Alaska fisheries, oyster culture. AN ACT For the protection of oyster culture in Alaska	August 2, 1937	557
Arch Hurley Conservancy District, N. Mex. AN ACT To authorize the construction of a Federal reclamation project to furnish a water supply for the lands of the Arch Hurley Conservancy District in New Mexico	August 2, 1937	557
Canal Zone, etc., citizenship. AN ACT Relating to the citizenship of certain classes of persons born in the Canal Zone or the Republic of Panama	August 4, 1937	558
Marine Corps League, incorporation. AN ACT To incorporate the Marine Corps League	August 4, 1937	558
National Cancer Institute Act. AN ACT To provide for, foster, and aid in coordinating research relating to cancer; to establish the National Cancer Institute; and for other purposes	August 5, 1937	559
Bridge, Mississippi River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Natchez, Mississippi	August 5, 1937	562
Agricultural Marketing Agreement Act of 1937, amendment. AN ACT To amend provisions of the Agricultural Marketing Agreement Act of 1937	August 5, 1937	563
Bridge, Columbia River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oregon	August 5, 1937	563
Naval Reserve Officers' Training Corps. AN ACT To amend section 22 of the Act approved March 4, 1925, entitled "An Act providing for sundry matters affecting the naval service, and for other purposes"	August 6, 1937	563
Appropriations, Interior Department, fiscal year 1938. AN ACT Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes	August 9, 1937	564
War Department, sale of certain cemetery properties. AN ACT To authorize the sale of surplus War Department real property	August 10, 1937	616
Interstate oil and gas conservation. JOINT RESOLUTION Consenting to an interstate oil compact to conserve oil and gas	August 10, 1937	617
Canal Zone, retirement annuities. AN ACT To provide retirement annuities for certain former employees of the Panama Canal and the Panama Railroad Company on the Isthmus of Panama	August 10, 1937	619
Military reservations, exchange of lands. AN ACT To authorize exchange of lands at military reservations, and for other purposes	August 10, 1937	620
Subsistence homesteads corporations. AN ACT Authorizing credits to disbursing officers for expenses incident to the creation of subsistence homesteads corporations	August 11, 1937	620
Healing Arts Practice Act, D. C., 1928, amendment. AN ACT To amend an Act entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929	August 11, 1937	620
Marine schools. AN ACT To amend the Act entitled "An Act for the establishment of marine schools, and for other purposes", approved March 4, 1911	August 11, 1937	621
Philippine Islands, administration of oaths. AN ACT To authorize the administration of oaths by the Chief Clerk and the Assistant Chief Clerk of the Office of the United States High Commissioner to the Philippine Islands, and for other purposes	August 11, 1937	621
Columbia National Forest, Wash., addition. AN ACT To add certain lands to the Columbia National Forest in the State of Washington	August 12, 1937	622
Bankruptcy Act of 1898, amendment. AN ACT To amend section 77B of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended	August 12, 1937	622
Girl Scouts, Inc., badge, patent renewal. AN ACT Granting a renewal of patent numbered 60731 relating to the badge of the Girl Scouts, Incorporated	August 12, 1937	623
Malone, N. Y., term of district court. AN ACT Providing for the establishment of a term of the District Court of the United States for the Northern District of New York at Malone, New York	August 12, 1937	623
American Island, S. Dak., tourist cabins. AN ACT To authorize the city of Chamberlain, South Dakota, to construct, equip, and maintain tourist cabins on American Island, South Dakota, to operate and maintain a tourist camp and certain amusement and recreational facilities on such island, to make charges in connection therewith, and for other purposes	August 12, 1937	623

	Date	Page
Government disbursing officers, etc., credits. AN ACT To authorize and direct the Comptroller General of the United States to allow credit for all outstanding disallowances and suspensions in the accounts of disbursing officers or agents of the Government for payments made pursuant to certain adjustments and increases in compensation of Government officers and employees	August 12, 1937	624
Benton, Ill., term of court. AN ACT To provide for a term of court at Benton, Illinois	August 12, 1937	624
Shawnee, Okla., court accommodations. AN ACT Relating to the accommodations for holding court at Shawnee, Oklahoma	August 12, 1937	625
District of Columbia, age of consent for marriage, etc. AN ACT To increase the age of consent for marriage in the District of Columbia to eighteen years of age in the case of males and sixteen years of age in the case of females	August 12, 1937	626
District of Columbia, protection of potato buyers. AN ACT To protect the buyers of potatoes in the District of Columbia	August 12, 1937	626
Narcotic laws, violations. AN ACT To increase the punishment of second, third, and subsequent offenders against the narcotic laws	August 12, 1937	627
District of Columbia, offenses against property. AN ACT To amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia, relating to offenses against property	August 12, 1937	628
Dike, Missouri River. AN ACT To legalize a dike in the Missouri River six and nine-tenths miles downstream from the South Dakota State highway bridge at Pierre, South Dakota	August 12, 1937	629
Bridge, Missouri River. AN ACT Granting the consent of Congress to the county court of Saline County, Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Arrow Rock, Missouri	August 12, 1937	630
Bridge, Lake Sabine. AN ACT To extend the times for commencing and completing the construction of a bridge over Lake Sabine at or near Port Arthur, Texas	August 12, 1937	630
National safety and accident prevention. AN ACT To advance a program of national safety and accident prevention	August 12, 1937	631
Bridge, Mississippi River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana	August 12, 1937	631
Bridge, Saint Lawrence River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York	August 12, 1937	631
Hawaii, lighthouse sites, etc. AN ACT To authorize the Secretary of Commerce to transfer the two unused lighthouse sites in Kahului Townsite, Island of Maui, Territory of Hawaii, in exchange for two plots of land located in the same townsite and now occupied for lighthouse purposes under permission from the respective owners, the Kahului Railroad Company and the Hawaiian Commercial and Sugar Company, Limited	August 12, 1937	632
Burr Creek, Conn. AN ACT To declare Burr Creek, from Fairfield Avenue southward to Yacht Street in the city of Bridgeport, Connecticut, a nonnavigable stream	August 12, 1937	632
Bridge, Cambridge Creek, Md. AN ACT Authorizing the State Roads Commission of the State of Maryland to construct, maintain, and operate a free highway bridge across Cambridge Creek, in or near Cambridge, Dorchester County, Maryland, to replace a bridge already in existence	August 12, 1937	633
Interstate minimum wage, etc., compact. JOINT RESOLUTION Granting the consent of Congress to the minimum-wage compact ratified by the Legislatures of Massachusetts, New Hampshire, and Rhode Island	August 12, 1937	633
Utah, exchange of land. AN ACT To authorize the Secretary of the Interior to accept from the State of Utah title to a certain State-owned section of land and to patent other land to the State in lieu thereof, and for other purposes	August 14, 1937	637
Cabinet Gorge, power project. AN ACT To provide for studies and plans for the development of a hydroelectric power project at Cabinet Gorge, on the Clark Fork of the Columbia River, for irrigation pumping or other uses, and for other purposes	August 14, 1937	638
Customs, entry of vessels. AN ACT To amend the Tariff Act of 1930 to exempt vessels arriving for the purpose of taking on ship's stores and certain sea stores from the requirement of formal entry	August 14, 1937	638
Kentucky, transfer of land. AN ACT To authorize the transfer of a certain piece of land in Breckinridge County, Kentucky, to the Commonwealth of Kentucky	August 14, 1937	638

	Date	Page
Alaska fisheries. AN ACT Making further provision for the fisheries of Alaska	August 14, 1937	639
Fort Myers, Fla., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station in the vicinity of Fort Myers, Florida	August 14, 1937	639
Oaths of office, executive departments, etc. AN ACT To dispense with unnecessary renewals of oaths of office by civilian employees of the executive departments and independent establishments	August 14, 1937	640
Dauphin Island, Ala., Coast Guard station. AN ACT To provide for the establishment of a Coast Guard station on the coast of Alabama at or near Dauphin Island, Alabama	August 14, 1937	640
Federal-aid highways, toll bridges. AN ACT To aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes	August 14, 1937	640
U. S. employees in foreign countries. AN ACT To amend the Act approved March 26, 1934	August 14, 1937	641
Adjusted Compensation Payment Act, 1936, amendment. AN ACT To amend the Adjusted Compensation Payment Act, 1936, to provide for the escheat to the United States of certain amounts	August 14, 1937	641
Bridge, Ohio River. AN ACT Creating the Owensboro Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Ohio River at or near Owensboro, Kentucky	August 14, 1937	641
U. S. Courts, jurors' fees. AN ACT To restore the per diem fee of $4 for service of jurors in Federal courts	August 14, 1937	647
Minor coin metal fund. AN ACT To amend section 3528 of the Revised Statutes relating to the purchase of metal for minor coins of the United States	August 14, 1937	647
Railway Mail Service, stenographic grade. AN ACT To provide for a stenographic grade in the office of chief clerks and superintendents in the Railway Mail Service	August 14, 1937	647
James Reuel Smith, bequests. JOINT RESOLUTION To authorize the acceptance on behalf of the United States of certain bequests of James Reuel Smith, late of the city of Yonkers, State of New York	August 14, 1937	647
Columbia River, navigation facilities. AN ACT To authorize improvement of navigation facilities on the Columbia River, and for other purposes	August 16, 1937	648
Farm Island, S. Dak., recreational, etc., facilities. AN ACT To authorize the city of Pierre, South Dakota, to construct, equip, maintain, and operate on Farm Island, South Dakota, certain amusement and recreational facilities; to charge for the use thereof; and for other purposes	August 16, 1937	648
Bayou Savage, New Orleans, La. AN ACT Declaring Bayou Savage, also styled Bayou Chantilly, in the city of New Orleans, Louisiana, a nonnavigable stream	August 16, 1937	649
Five Civilized Tribes of Indians, claims. AN ACT To authorize the Five Civilized Tribes, in suits heretofore filed under their original Jurisdictional Acts, to present claims to the United States Court of Claims by amended petitions to conform to the evidence; and to authorize said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original Jurisdictional Acts	August 16, 1937	650
Postal service, substitutes in motor-vehicle service. AN ACT To provide time credits for substitutes in the motor-vehicle service	August 16, 1937	650
Postal service, watchmen and messengers. AN ACT To extend the provisions of the forty-hour law for postal employees to watchmen and messengers in the Postal Service	August 16, 1937	651
Tuscumbia, Ala. AN ACT To quiet title and possession with respect to certain lands in Tuscumbia, Alabama	August 16, 1937	651
Hunting Island Lighthouse Reservation, S. C. AN ACT To provide for the conveyance by the United States to the county of Beaufort, South Carolina, of the Hunting Island Lighthouse Reservation	August 16, 1937	651
Sitka Cold Storage Company. AN ACT Authorizing the Territory of Alaska to transfer a certain tract of land to Sitka Cold Storage Company, a corporation	August 16, 1937	652
Bankruptcy Act of 1898, amendments. AN ACT To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto	August 16, 1937	653

	Date	Page
Gaithersburg, Md., acceptance of land. AN ACT Authorizing the Secretary of Commerce to accept title to a certain parcel of land at Gaithersburg, Maryland	August 16, 1937	659
World War veterans, service-connected benefits. AN ACT To liberalize the provisions of existing laws governing service-connected benefits for World War veterans and their dependents, and for other purposes	August 16, 1937	660
District of Columbia, vending machines, etc. AN ACT To prohibit in the District of Columbia the operation of any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle designed to receive or be operated by lawful coin of the United States of America, or a token provided by the person entitled to the coin contents of such receptacle in connection with the sale, use, or enjoyment of property or service by means of slugs, spurious coins, tricks, or devices not authorized by the person entitled to the coin contents thereof; and to prohibit in the District of Columbia the manufacture, sale, offering for sale, advertising for sale, distribution, or possession for such use of any token, slug, false or counterfeited coin, or any device or substance whatsoever except tokens authorized by the person entitled to the coin contents of such receptacle; and providing a penalty for violation thereof	August 16, 1937	662
District of Columbia, public works. AN ACT To authorize the Secretary of the Navy to proceed with the construction of certain public works in or in the vicinity of the District of Columbia, and for other purposes	August 16, 1937	663
Alaska unicameral legislature. AN ACT To provide for a referendum in the Territory of Alaska as to the establishment of a one-house legislature, and for other purposes	August 16, 1937	664
Labor standards for apprentices. AN ACT To enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards	August 16, 1937	664
State of Washington, lands for highways. AN ACT To authorize the Secretary of Commerce to grant and convey to the State of Washington fee title to certain lands of the United States in Jefferson County, Washington, for highway purposes	August 16, 1937	665
Lighthouse Service, marking wrecks, etc. AN ACT To provide more effectively for the marking of wrecked and sunken craft for the protection of navigation, to improve the efficiency of the Lighthouse Service, and for other purposes	August 16, 1937	666
Thomas Jefferson's Birthday. JOINT RESOLUTION Authorizing the President of the United States of America to proclaim the 13th day of April of each year Thomas Jefferson's Birthday	August 16, 1937	668
New York World's Fair 1939, free entry of exhibits. JOINT RESOLUTION To permit articles imported from foreign countries for the purpose of exhibition at the New York World's Fair 1939, New York City, New York, to be admitted without payment of tariff, and for other purposes	August 16, 1937	668
Cape Hatteras National Seashore, N. C. AN ACT To provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes	August 17, 1937	669
North Carolina judicial districts. AN ACT To provide for the transfer of Scotland County to the middle judicial district of North Carolina	August 17, 1937	671
Puerto Rico, land for roadway. AN ACT Authorizing and directing the Secretary of Commerce to transfer to the Government of Puerto Rico a portion of land within the Catano Range Rear Lighthouse Reservation, Puerto Rico, and for other purposes	August 17, 1937	672
District of Columbia Revenue Act of 1937. AN ACT To provide additional revenue for the District of Columbia, and for other purposes	August 17, 1937	673
Guanica Lighthouse Reservation, P. R. AN ACT To authorize the Secretary of Commerce to exchange with the people of Puerto Rico the Guanica Lighthouse Reservation for two adjacent plots of insular forest land under the jurisdiction of the commissioner, department of agriculture and commerce, and for other purposes	August 17, 1937	694
Charles Carroll of Carrollton Bicentenary Commission. JOINT RESOLUTION Relating to the employment of personnel and expenditures made by the Charles Carroll of Carrollton Bicentenary Commission	August 17, 1937	694

	Date	Page
U. S. Constitution Sesquicentennial Commission. JOINT RESOLUTION To authorize an additional appropriation to further the work of the United States Constitution Sesquicentennial Commission	August 19, 1937	694
General Anthony Wayne Memorial Commission. JOINT RESOLUTION To establish the General Anthony Wayne Memorial Commission to formulate plans for the construction of a permanent memorial to the memory of General Anthony Wayne	August 19, 1937	695
Fort Schuyler Military Reservation, N. Y., lease. AN ACT To authorize the Secretary of War to lease the Fort Schuyler Military Reservation, New York	August 19, 1937	696
Army, reenlistment of aliens. AN ACT For the protection of certain enlisted men of the Army	August 19, 1937	696
Bridges, Caddo Parish, La. AN ACT To authorize the construction of bridges in Caddo Parish, Louisiana	August 19, 1937	697
D. C., Southeastern University, etc. AN ACT For the relief of the Southeastern University of the Young Men's Christian Association of the District of Columbia	August 19, 1937	697
Great Smoky Mountains National Park, N. C., exchange of lands. AN ACT To authorize the exchange of certain lands within the Great Smoky Mountains National Park for lands within the Cherokee Indian Reservation, North Carolina, and for other purposes	August 19, 1937	699
Shoshone Indian Reservation, Wyo., irrigation. AN ACT To authorize the acquisition by the United States of certain tribally owned lands of the Indians of the Shoshone or Wind River Indian Reservation, Wyoming, for the Wind River irrigation project	August 19, 1937	700
Shenandoah National Park, Va., police jurisdiction. AN ACT To direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes	August 19, 1937	700
Farm Credit Act of 1937. AN ACT To amend the Federal Farm Loan Act, to amend the Emergency Farm Mortgage Act of 1933, to amend the Farm Credit Act of 1933, to amend the Federal Farm Mortgage Corporation Act, to amend the Agricultural Marketing Act, and for other purposes	August 19, 1937	703
Reclamation projects, surveys. AN ACT To provide for studies and plans for the development of reclamation projects on the Cimarron River in Cimarron County, Oklahoma; the Washita River in Oklahoma, and the North Canadian River in Oklahoma	August 19, 1937	718
Palisades Interstate Park Commission. JOINT RESOLUTION Granting the consent of Congress to a compact between the States of New York and New Jersey providing for the creation of the Palisades Interstate Park Commission as a joint corporate municipal instrumentality of said States with appropriate rights, powers, duties, and immunities, for the transfer to said commission of certain functions, jurisdiction, rights, powers, and duties together with the properties of the bodies politic now existing in each State known as "Commissioners of the Palisades Interstate Park", and for the continuance of the Palisades Interstate Park	August 19, 1937	719
Articles of War, courts martial. AN ACT To amend Articles of War 50½ and 70	August 20, 1937	724
National Guard, payments. AN ACT For the relief of sergeant-instructors, National Guard, and for other purposes	August 20, 1937	724
Alaska, air mail. AN ACT To provide a surcharge on certain air mail carried in Alaska	August 20, 1937	725
Perishable Agricultural Commodities Act of 1930, amendments. AN ACT To amend the Act known as the "Perishable Agricultural Commodities Act, 1930", approved June 10, 1930, as amended	August 20, 1937	725
Bonneville dam project. AN ACT To authorize the completion, maintenance, and operation of Bonneville project for navigation, and for other purposes	August 20, 1937	731
State liquor-dispensing systems. AN ACT To exempt State liquor-dispensing systems from the requirement of keeping certain records and rendering transcripts and summaries of entries with respect to distilled spirits	August 20, 1937	737
Reclamation projects, financial conditions, etc. AN ACT To create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects	August 21, 1937	737

	Date	Page
U. S. district courts, State tax assessments, jurisdiction. AN ACT To amend section 24 of the Judicial Code, as amended, with respect to the jurisdiction of the district courts of the United States over suits relating to the collection of State taxes	August 21, 1937	738
Snoqualmie National Forest, Wash. AN ACT To authorize the revision of the boundaries of the Snoqualmie National Forest, in the State of Washington	August 21, 1937	739
Georgia southern judicial district. AN ACT To amend section 77 of the Judicial Code, as amended, to create a Brunswick division in the southern district of Georgia, with terms of court to be held at Brunswick	August 21, 1937	739
Oil World Exposition, 1937. JOINT RESOLUTION Authorizing the President to invite the States of the Union and foreign countries to participate in the Oil World Exposition at Houston, Texas, to be held October 11 to 16, 1937, inclusive	August 21, 1937	740
West Point, N. Y., public buildings. AN ACT To authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the West Point Military Reservation, New York, for the construction thereon of certain public buildings, and for other purposes	August 21, 1937	741
Everglades National Park, Fla. AN ACT To amend an Act entitled "An Act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes", approved May 30, 1934	August 21, 1937	742
International Petroleum Exposition, Tulsa, Okla. AN ACT Authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Oklahoma, to be held May 14 to May 21, 1938	August 21, 1937	742
Naturalization, resident alien World War veterans. AN ACT To extend further time for naturalization to alien veterans of the World War under the Act approved May 25, 1932 (47 Stat. 165), to extend the same privileges to certain veterans of countries allied with the United States during the World War, and for other purposes	August 23, 1937	743
American Printing House for the Blind. AN ACT To amend the Act, approved August 4, 1919, as amended, providing additional aid for the American Printing House for the Blind	August 23, 1937	744
West Virginia judicial districts, terms, etc. AN ACT To amend an Act of Congress entitled "An Act to provide for the appointment of an additional district judge for the northern and southern districts of West Virginia", approved June 22, 1936, by changing the times provided therein for holding the United States district court at various places now fixed by law in the State of West Virginia	August 23, 1937	744
Bridge, Mississippi River. AN ACT Authorizing State Highway Commission of Arkansas and State Highway Commission of Mississippi to construct, maintain, and operate a toll bridge across the Mississippi River at or near Lake Village, Chicot County, Arkansas, and to a place at or near Greenville, Washington County, Mississippi	August 23, 1937	745
Bridge, Delaware River. AN ACT To extend the times for commencing and completing the construction of a bridge across the Delaware River between the village of Barryville, New York, and the village of Shohola, Pennsylvania	August 23, 1937	746
Montana, lands for public purposes. AN ACT Authorizing the Secretary of the Interior to convey certain land to the State of Montana to be used for the purposes of a public park and recreational site	August 24, 1937	746
New Mexico, conveyance of lands. AN ACT Authorizing the Secretary of the Interior to convey all right, title, and interest of the United States in certain lands to the State of New Mexico, and for other purposes	August 24, 1937	747
New Mexico, land patent. AN ACT Authorizing the Secretary of the Interior to patent certain tracts of land to the State of New Mexico and Cordy Bramblet	August 24, 1937	747
Public lands, patents to States. AN ACT To authorize the Secretary of the Interior to issue patents to States under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976), subject to prior leases issued under section 15 of the said Act	August 24, 1937	748
Trading with the Enemy Act, amendment. AN ACT To amend subsection (e) of section 9 of the Trading with the Enemy Act, as amended	August 24, 1937	748

	Date	Page
U. S. Courts, grand jury extensions. AN ACT To permit grand-jury extensions to be ordered by any district judge	August 24, 1937	748
Bank robbery. AN ACT To amend the bank-robbery statute to include burglary and larceny	August 24, 1937	749
Inter-American Radio Conference, 1937. JOINT RESOLUTION Authorizing an appropriation for the expenses of participation by the United States in the Inter-American Radio Conference to be held in 1937 at Habana, Cuba	August 24, 1937	749
International Road Congress, Eighth. JOINT RESOLUTION To authorize an appropriation for the expenses of participation by the United States in the Eighth International Road Congress in 1938	August 24, 1937	750
Panama Canal, measurement of vessels. AN ACT To provide for the measurement of vessels using the Panama Canal, and for other purposes	August 24, 1937	750
District of Columbia, promotion of highway safety. AN ACT To amend the Act of May 3, 1935, relating to the promotion of safety on the highways of the District of Columbia	August 24, 1937	751
Acts of Congress, constitutionality, etc. AN ACT To provide for intervention by the United States, direct appeals to the Supreme Court of the United States, and regulation of the issuance of injunctions, in certain cases involving the constitutionality of Acts of Congress, and for other purposes	August 24, 1937	751
Unemployment compensation payments. AN ACT To make available to each State which enacted in 1937 an approved unemployment-compensation law a portion of the proceeds from the Federal employers' tax in such State for the year 1936	August 24, 1937	754
Program for relief and benefit of agriculture. JOINT RESOLUTION Expressing the views of the Congress as to a program for the relief and benefit of agriculture	August 24, 1937	754
Appropriations, Third Deficiency Act, 1937. AN ACT Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes	August 25, 1937	755
Claims against Mexico. JOINT RESOLUTION Relative to determination and payment of certain claims against the Government of Mexico	August 25, 1937	783
Pensions, Indian Wars, etc. AN ACT Granting pensions and increases of pensions to certain soldiers who served in the Indian Wars from 1817 to 1898, and for other purposes	August 25, 1937	786
District of Columbia, real-estate brokers, etc. AN ACT To define, regulate, and license real-estate brokers, business chance brokers, and real-estate salesmen; to create a Real Estate Commission in the District of Columbia; to protect the public against fraud in real-estate transactions; and for other purposes	August 25, 1937	787
Pensions, peacetime veterans. AN ACT To afford protection of pension benefits to peacetime veterans placed on the pension rolls after March 19, 1933, and for other purposes	August 25, 1937	798
American Chemical Society, incorporation. AN ACT To incorporate the American Chemical Society	August 25, 1937	798
Florida judicial districts. AN ACT To amend section 76 of the Judicial Code with respect to the terms of the United States District Court at Tallahassee, Florida	August 25, 1937	800
Bridge, Sinepuxent Bay. AN ACT Authorizing the State Roads Commission of the State of Maryland to construct, maintain, and operate a free highway bridge across Sinepuxent Bay in Worcester County, Maryland, at Ocean City, Maryland, to replace a bridge already in existence	August 25, 1937	801
Wyoming, sale of lands. AN ACT To amend section 11 of the Act of Congress approved July 10, 1890 (26 Stat., ch. 664), relating to the admission into the Union of the State of Wyoming	August 25, 1937	802
District of Columbia Alcoholic Beverage Control Act, amendment. AN ACT To amend the District of Columbia Alcoholic Beverage Control Act	August 25, 1937	802
Disbursing officers, credits for certain overpayments. AN ACT Authorizing the Comptroller General of the United States to allow credit in the accounts of disbursing officers for overpayments of wages on Civil Works Administration projects and waiving recovery of such overpayments	August 25, 1937	804
Pipestone National Monument, Minn., establishment. AN ACT To establish the Pipestone National Monument in the State of Minnesota	August 25, 1937	804

	Date	Page
Army, stenographic reporting. AN ACT To increase the extra pay to enlisted men for reporting	August 25, 1937	805
Henry W. Blair. AN ACT Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases	August 25, 1937	805
Ohio southern judicial district. AN ACT To authorize the appointment of an additional judge for southern district of Ohio	August 25, 1937	805
Oklahoma, gross production taxes on minerals. AN ACT Providing for the manner of payment of taxes on gross production of minerals, including gas and oil, in Oklahoma	August 25, 1937	806
Lowell Creek, Alaska, flood control. AN ACT To authorize a modification of the project for the control of floods in Lowell Creek, Alaska	August 25, 1937	806
District of Columbia, adoption proceedings. AN ACT To regulate proceedings in adoption in the District of Columbia	August 25, 1937	806
Public lands, oil and gas permits. AN ACT For the relief of certain applicants for oil and gas permits and leases	August 25, 1937	808
Transportation charges in cases of disaster, etc. AN ACT To amend paragraph (1) of section 22 of the Interstate Commerce Act, as amended	August 25, 1937	809
Receivership, bankruptcy, etc., fees. AN ACT To prohibit certain agreements fixing fees or compensation in receivership, bankruptcy, or reorganization proceedings, to prohibit the appointment of certain persons as receiver or trustee, and for other purposes	August 25, 1937	810
Choctaw and Chickasaw Indians, Okla., mineral reservations. AN ACT To authorize the reservation of minerals in future sales of lands of the Choctaw-Chickasaw Indians in Oklahoma	August 25, 1937	810
Palm Springs Indian Reservation, Calif. AN ACT To authorize the Secretary of the Interior to lease or sell certain lands of the Agua Caliente or Palm Springs Reservation, California, for public airport use, and for other purposes	August 25, 1937	811
Ketchikan, Alaska, bond issue. AN ACT To authorize the city of Ketchikan, Alaska, to issue bonds for street improvements, and for other purposes	August 25, 1937	811
Delaware River Valley tercentenary. JOINT RESOLUTION To amend the public resolution approved June 5, 1936, entitled "Joint resolution authorizing and requesting the President to extend to the Government of Sweden and individuals an invitation to join the Government and people of the United States in the observance of the three-hundredth anniversary of the first permanent settlement in the Delaware River Valley, and for other purposes"	August 25, 1937	813
Revenue Act of 1937. AN ACT To provide revenue, equalize taxation, prevent tax evasion and avoidance, and for other purposes	August 26, 1937	813
Pan American Exposition, Tampa, Fla., 1939. JOINT RESOLUTION Providing for participation by the United States in the Pan American Exposition to be held in Tampa, Florida, in the year 1939 in commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, and for other purposes	August 26, 1937	831
Pacific Mercado, Los Angeles, Calif., 1940. JOINT RESOLUTION Providing for the participation of the United States in the continuing international exposition to be known as Pacific Mercado, to be held in the city of Los Angeles, California, commencing in the year 1940, and in the year 1942 commemorating the landing of Cabrillo, and for other reasons	August 26, 1937	834
Railroads, safety devices, etc. AN ACT To require certain common carriers by railroad to install and maintain certain appliances, methods, and systems intended to promote the safety of employees and travelers on railroads, and for other purposes	August 26, 1937	835
Glasgow, Mont., accommodations for district court. AN ACT To provide suitable accommodations for the district court of the United States at Glasgow, Montana	August 26, 1937	837
Perth Amboy, N. J., claim. AN ACT To amend the Act entitled "An Act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, New Jersey", approved July 23, 1935	August 26, 1937	838
Members of Congress, agreements under agricultural programs. AN ACT To permit Members of Congress to enter into agreements under agricultural programs	August 26, 1937	838
Merchant Marine Act, 1936, amendments. AN ACT To amend the Merchant Marine Act, 1936 (Act of June 29, 1936, ch. 858; 49 Stat. 1985)	August 26, 1937	839

	Date	Page
Lighthouse keepers, classification and pay. AN ACT To authorize the Secretary of Commerce to continue the existing system of classification and pay of positions of lighthouse keepers	August 26, 1937	840
Clackamas County, Oreg., lands for park purposes. AN ACT To convey certain lands to Clackamas County, Oregon, for public-park purposes	August 26, 1937	840
Postal service, laborers, service credits. AN ACT To credit laborers in the Postal Service with any fractional part of a year's substitute service toward promotion	August 26, 1937	840
Postal service, superintendents at classified stations, credits. AN ACT Giving superintendents at classified post-office stations credit for substitutes serving under them	August 26, 1937	841
Reclamation laws, small storage reservoirs. AN ACT To authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws	August 26, 1937	841
General Leasing Act, prospecting permits extension. AN ACT To provide for the extension of certain prospecting permits, and for other purposes	August 26, 1937	842
Grover, N. C., post-office lease. AN ACT To continue in effect a certain lease for the quarters of the post office at Grover, North Carolina, and for other purposes	August 26, 1937	842
Lake of the Woods, damage claims. AN ACT To fulfill certain treaty obligations with respect to water levels of the Lake of the Woods	August 26, 1937	843
Puerto Rico, civil government, etc. AN ACT To amend section 3 of the Act entitled "An Act to provide a civil government for Puerto Rico, and for other purposes", increasing borrowing margin of municipality of Mayaguez	August 26, 1937	843
Rivers and harbors, improvements. AN ACT Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes	August 26, 1937	844
New Cumberland General Depot, Pa., exchange of lands. AN ACT To authorize an exchange of lands at the New Cumberland General Depot, Pennsylvania	August 26, 1937	857
Military posts, construction, etc. AN ACT To authorize appropriations for construction and rehabilitation at military posts, and for other purposes	August 26, 1937	857
Arizona, restoration of Indian lands to tribal ownership. AN ACT To amend section 3 of the Act of June 18, 1934 (48 Stat. 984–988), relating to Indian Lands in Arizona	August 28, 1937	862
Rio Grande, etc., watersheds, surveys. AN ACT To provide for preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on the watersheds of the Rio Grande and Pecos Rivers	August 28, 1937	864
Blackfeet Indians, Mont., relinquishment of lands. AN ACT To authorize the Secretary of the Interior to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, the interest in certain land acquired by the United States under the Federal Reclamation Laws	August 28, 1937	864
Pymatuning Lake, interstate compact concerning. AN ACT To approve a compact or agreement between the State of Ohio and the Commonwealth of Pennsylvania relating to Pymatuning Lake	August 28, 1937	865
Conservation in arid and semiarid areas. AN ACT To promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes	August 28, 1937	869
Puerto Rico, steamship tickets to, tax exemption. AN ACT To amend the Revenue Act of 1926, as amended, to exempt persons traveling between Puerto Rico and the continental United States from the payment of a stamp tax on steamship tickets	August 28, 1937	870
Federal Subsistence Homesteads Corporations. AN ACT For the relief of former employees of the Federal Subsistence Homesteads Corporations	August 28, 1937	871
Mammoth Cave National Park, Ky., addition. AN ACT To make available for national-park purposes certain lands within the area of the proposed Mammoth Cave National Park, Kentucky	August 28, 1937	871
Klamath Indians, Oreg., revolving loan fund. AN ACT Authorizing the establishment of a revolving loan fund for the Klamath Indians, Oregon, and for other purposes	August 28, 1937	872
Metlakahtla Indians of Alaska, trust funds. AN ACT Making further provision with respect to the funds of the Metlakahtla Indians of Alaska	August 28, 1937	873

	Date	Page
Revested Oregon and California Railroad, etc., grant lands. AN ACT Relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon	August 28, 1937	874
Flood Control Act of 1936, amendments. AN ACT To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936	August 28, 1937	876
Puerto Rico, cooperative State agricultural extension work. AN ACT To extend the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico	August 28, 1937	881
Fort Donelson National Military Park, Tenn., addition. AN ACT To provide for the addition of certain lands to the Fort Donelson National Military Park in the State of Tennessee, and for other purposes	August 30, 1937	881
Unemployment, etc., census. AN ACT To provide for the taking of a census of partial employment, unemployment, and occupations, and for other purposes	August 30, 1937	883
Crow Indian Reservation, Mont., boundaries. AN ACT Relating to certain lands within the boundaries of the Crow Reservation, Montana	August 31, 1937	884
Potomac Valley conservancy district. JOINT RESOLUTION To permit the States of Maryland, Virginia, West Virginia, Pennsylvania, and the District of Columbia to enter into a compact or agreement respecting the creation of a Potomac Valley conservancy district for the prevention or abatement of harmful pollution of the waters thereof	August 31, 1937	884
Helium gas. AN ACT Authorizing the conservation, production, exploitation, and sale of helium gas, a mineral resource pertaining to the national defense and to the development of commercial aeronautics, authorizing the acquisition, by purchase or otherwise, by the United States of properties for the production of helium gas, and for other purposes	September 1, 1937	885
U. S. Housing Act of 1937. AN ACT To provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the eradication of slums, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority, and for other purposes	September 1, 1937	888
Alaska, reindeer industry. AN ACT To provide subsistence for the Eskimos and other natives of Alaska by establishing for them a permanent and self-sustaining economy; to encourage and develop native activity in all branches of the reindeer industry; and for other purposes	September 1, 1937	900
Sugar Act of 1937. AN ACT To regulate commerce among the several States, with the Territories and possessions of the United States, and with foreign countries; to protect the welfare of consumers of sugars and of those engaged in the domestic sugar-producing industry; to promote the export trade of the United States; to raise revenue; and for other purposes	September 1, 1937	903
Wildlife-restoration projects. AN ACT To provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes	September 2, 1937	917

PUBLIC LAWS

PUBLIC LAWS

ENACTED DURING THE

FIRST SESSION OF THE SEVENTY-FIFTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Tuesday, January 5, 1937, and adjourned without day on Saturday, August 21, 1937

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore;* WILLIAM B. BANKHEAD, Speaker of the House of Representatives; LINDSAY C. WARREN, Speaker of the House of Representatives *pro tempore,* May 24–June 1, 1937.

[CHAPTER 1]

JOINT RESOLUTION

January 8, 1937
[S. J. Res. 3]
[Pub. Res., No. 1]

To prohibit the exportation of arms, ammunition, and implements of war from the United States to Spain.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That during the existence of the state of civil strife now obtaining in Spain it shall, from and after the approval of this Resolution be unlawful to export arms, ammunition, or implements of war from any place in the United States, or possessions of the United States, to Spain or to any other foreign country for transshipment to Spain or for use of either of the opposing forces in Spain. Arms, ammunition, or implements of war, the exportation of which is prohibited by this Resolution, are those enumerated in the President's Proclamation No. 2163 of April 10, 1936.

Exportation of arms and war implements to Spain; prohibition during present civil strife.

Arms, etc., defined. 49 Stat. 3503.

Licenses heretofore issued under existing law for the exportation of arms, ammunition, or implements of war to Spain shall, as to all future exportations thereunder, ipso facto be deemed to be cancelled.

Existing licenses.

Whoever in violation of any of the provisions of this Resolution shall export, or attempt to export, or cause to be exported either directly or indirectly, arms, ammunition, or implements of war from the United States or any of its possessions, shall be fined not more than ten thousand dollars or imprisoned not more than five years, or both.

Penalty for violation.

When in the judgment of the President the conditions described in this Resolution have ceased to exist, he shall proclaim such fact, and the provisions hereof shall thereupon cease to apply.

Termination of provisions.

Approved, January 8, 1937, at 12.30 p. m.

[CHAPTER 2]

JOINT RESOLUTION

January 14, 1937
[S. J. Res. 17]
[Pub. Res., No. 2]

To provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies.

Inaugural ceremonies, 1937
Temporary quartering of troops in public buildings during, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to allocate such space in any public building under his care and supervision as he deems necessary for the purposes of quartering troops participating in the inaugural ceremonies to be held on January 20, 1937, but such use shall not continue after January 22, 1937. Authority granted by this resolution may be exercised notwithstanding the provisions of the Legislative, Executive, and Judicial Appropriation Act for the fiscal year ending June 30, 1903, approved April 28, 1902, prohibiting the use of public buildings in connection with inaugural ceremonies.

32 Stat. 152
40 U. S. C. §§ 19, 31.

Approved, January 14, 1937.

[CHAPTER 4]

JOINT RESOLUTION

January 18, 1937
[H. J. Res. 106]
[Pub. Res., No. 3]

To exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937.

Inaugural admission tickets.
Payments for, exempt from admissions tax.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies of the Inauguration of the President-elect in January 1937, said committee to be appointed with the approval of the President-elect, shall be exempt from the tax on admissions imposed by section 500 of the Revenue Act of 1926, as amended, all the net proceeds from the sale of said tickets to be donated by the said committee to charity.

44 Stat. 91.
26 U. S. C. § 940.

Approved, January 18, 1937.

[CHAPTER 5]

AN ACT

January 23, 1937
[S. 416]
[Public, No. 1]

To extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

Gold Reserve Act of 1934, amendments.
48 Stat. 341.
31 U. S. C. § 822a.
Stabilization fund.
Duration of emergency powers of President concerning, extended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 10 of the Gold Reserve Act of 1934, approved January 30, 1934, is amended to read as follows:

"(c) All the powers conferred by this section shall expire June 30, 1939, unless the President shall sooner declare the existing emergency ended and the operation of the stabilization fund terminated."

Fixing weight of gold dollar.

SEC. 2. The second sentence added to paragraph (b) (2) of section 43, title III, of the Act approved May 12, 1933, by section 12 of said Gold Reserve Act of 1934 is amended to read as follows: "The powers of the President specified in this paragraph shall be deemed to be separate, distinct, and continuing powers, and may be exercised by him, from time to time, severally or together, whenever and as the expressed objects of this section in his judgment may require; except that such powers shall expire June 30, 1939, unless the President shall sooner declare the existing emergency ended."

Specified powers defined.

Expiration.

Approved, January 23, 1937, 2 p. m.

[CHAPTER 6]

AN ACT

To continue the functions of the Reconstruction Finance Corporation, and for other purposes.

January 26, 1937
[S. 415]
[Public, No. 2]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, until the close of business on June 30, 1939, the Reconstruction Finance Corporation is hereby authorized to continue to perform all functions which it is authorized to perform under law, and the liquidation and winding up of the Corporation's affairs as provided for by section 13 of the Reconstruction Finance Corporation Act, as amended, are hereby postponed during the period that functions of the Corporation are continued pursuant to this Act: *Provided*, That in order to facilitate the withdrawal of the credit activities of the Corporation when from time to time during such period the President finds, upon a report of the Board of Directors of the Corporation or otherwise, that credit for any class of borrowers to which the Corporation is authorized to lend is sufficiently available from private sources to meet legitimate demands upon fair terms and rates, the President may authorize the directors to suspend the exercise by the Corporation of any such lending authority for such time or times as he may deem advisable.

Reconstruction Finance Corporation.
Authority to function continued.

Liquidation, etc., postponed.
47 Stat. 10.
15 U. S. C. § 613.

Proviso
Temporary suspension of lending authority.

SEC. 2. (a) Section 7 of the Act approved January 31, 1935 (Public, Numbered 1, Seventy-fourth Congress), is hereby amended by striking from the first sentence thereof "April 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 1 of the Act approved March 31, 1936 (Public, Numbered 484, Seventy-fourth Congress), is hereby amended by striking from the first sentence thereof "February 1, 1937" and inserting in lieu thereof "the close of business on June 30, 1939"; section 9 of the Act approved January 31, 1935 (Public, Numbered 1, Seventy-fourth Congress), is hereby amended by striking from the first sentence thereof "June 16, 1937" and inserting in lieu thereof "the close of business on June 30, 1939".

Designated agencies continued.
49 Stat. 4.
Post, pp. 347, 348.

49 Stat. 1186.

(b) The agencies referred to in the Acts referred to in subdivision (a) of this section, and the RFC Mortgage Company, shall be deemed to be established by or pursuant to law within the meaning of section 7 (a) of the First Deficiency Appropriation Act, fiscal year 1936.

Incurring obligations after June 30, 1937.
49 Stat. 1647.

Approved, January 26, 1937.

[CHAPTER 7]

AN ACT

To provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes.

January 29, 1937
[H. R. 1545]
[Public, No. 3]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor of the Farm Credit Administration, hereinafter in this Act referred to as the Governor, is hereby authorized to make loans to farmers in the United States (including Hawaii and Puerto Rico), for fallowing, for planting, for cultivation, for production of crops, for harvesting of crops, for supplies incident and necessary to such production or harvesting, and for feed for livestock, or for any of such purposes. Such loans shall be made and collected through such agencies, upon such terms and conditions, and subject to such regulations, as the Governor may prescribe.

Loans to farmers for crop production, etc., during 1937.

Conditions prescribed.

SEC. 2. (a) No loan shall be made under this Act to any applicant who shall not have first established to the satisfaction of the proper officer or employee of the Farm Credit Administration, under such regulations as the Governor may prescribe, that such applicant is unable to procure from other sources a loan in an amount reasonably adequate to meet his needs for the purposes for which loans may be made under this Act; and preference shall be given to the applications of farmers whose cash requirements are small.

Applicant unable to procure elsewhere.

Security.

(b) There shall be required as security for any such loan a first lien, or an agreement to give a first lien, upon all crops of which the production or harvesting, or both, is to be financed, in whole or in part, with the proceeds of such loan; or, in case of any loan, for the purchase or production of feed for livestock, a first lien upon the livestock to be fed.

Maximum amount.

(c) No loan made under the provisions of this Act to any borrower shall exceed $400, nor shall a loan be so made in any calendar year which, together with the unpaid principal of prior loans so made to such borrower in that year, shall exceed $400 in amount: *Provided, however*, That in any area certified by the President of the United States to the Governor as a distressed emergency area, the Governor may make loans without regard to the foregoing limitations as to amount, under such regulations, with such maturities, and in such amounts as he may prescribe.

Proviso. Distressed emergency areas.

Interest rate.

(d) Each loan shall bear interest at the rate of 4 per centum per annum.

Proceeds of loans impressed with a trust.

SEC. 3. The proceeds of each loan made by the Governor under the provisions of this Act shall be impressed with a trust for the purposes for which loans may be made under this Act, and may be used only for the purposes stated in the application therefor, and such trust shall continue, and the proceeds shall be free from garnishment, attachment, or the levy of an execution, until such proceeds have been used by the borrower for such purposes.

Recording, etc., fees.

SEC. 4. (a) Fees for recording, filing, registration, and examination of records (including certificates) shall not exceed 75 cents per loan, and may be paid from the proceeds of the loan.

Fees for releasing liens, etc.

(b) No fees for releasing liens given to secure loans made pursuant to this Act, nor any other fee not specified herein, shall be paid from the funds herein authorized to be appropriated.

Officers and employees authorized; pay, duties, etc.

SEC. 5. (a) The Governor shall have power, without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, to employ and fix the compensation and duties of such agents, officers, and employees as may be necessary to carry out the purposes of this Act; but the compensation of such officers and employees shall correspond, so far as the Governor deems practicable, to the rates established by the Classification Act of 1923, as amended.

5 U. S. C. § 673.

Use of designated agencies, facilities, etc.

(b) Such agents, officers, and employees, or any of them, and the agents, officers, employees, and facilities of the Farm Credit Administration available for use in connection with loans made under the provisions of this Act or of prior crop production, seed, and feed loan Acts of the same general character, may be used by the Governor to perform services for any institution operating under the supervision of the Farm Credit Administration, upon such terms and conditions as the Governor may determine; and such institutions are hereby expressly empowered to enter into agreements with the Governor for such purpose.

Other facilities and services.

(c) For the purpose of carrying out the provisions of this Act, and for collecting loans made under other Acts of the same general character, including loans made by the Governor with funds appro-

priated by the Emergency Appropriation Act, fiscal year 1935, or the Emergency Relief Appropriation Act of 1935, the Governor is authorized also to use the facilities and services of any agency or corporation operating under the supervision of the Farm Credit Administration, and of any officer or employee of any such agency or institution, or of the Farm Credit Administration, and may pay for such services and the use of such facilities from the funds made available for the payment of necessary administrative expenses, and such agencies and institutions are hereby expressly empowered to enter into agreements with the Governor for the accomplishment of such purposes and to perform the services provided for therein.

Payment therefor.

SEC. 6. (a) Except with the written permission of the Governor or his duly authorized representative, it shall be unlawful for any borrower to willfully use the proceeds of any loan:

Unlawful acts.

(1) For any purpose other than those specified in the application therefor; or

(2) For the purpose of fallowing, or for the planting, production, or harvesting of any crops on, any land other than that described in his application for such loan.

(b) It shall be unlawful for any person to make any material false representation for the purpose of obtaining, or assisting another to obtain, a loan under the provisions of this Act; or willfully to dispose of, or assist in disposing of, except for the account of the Governor, any crops or other property upon which there exists a lien securing a loan made under the provisions of this Act.

False representation, etc.

(c) It shall be unlawful for any person to charge or accept a fee for preparing or assisting in the preparation of any papers of an applicant for a loan under the provisions of this Act.

Fee for preparing application.

(d) Any person violating any provision of this section of this Act shall, upon conviction thereof, be punished by a fine of not more than $1,000, or by imprisonment for not more than six months, or both.

Penalty for violation.

SEC. 7. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000,000 for the purpose of enabling the Governor to carry out the provisions of this Act.

Appropriation authorized.
Post, p. 11.

(b) The moneys appropriated in pursuance of subsection (a) of this section, any amounts collected for services rendered under section 5 (b), and all collections of principal and interest of loans made under this Act may be used by the Governor for making loans under this Act, and for all necessary administrative expenses incurred in connection with the making and collection of such loans.

Use of designated moneys for loans and expenses.

(c) Expenditures for printing and binding necessary in carrying out the provisions of this Act may be made without regard to the provisions of section 3709 of the Revised Statutes.

Printing and binding.
R. S. § 3709; 41 U. S. C. § 5.

Approved, January 29, 1937.

[CHAPTER 8]

JOINT RESOLUTION

To create a joint congressional committee on Government organization.

February 3, 1937
[H. J. Res. 81]
[Pub. Res., No. 4]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a joint congressional committee to be known as the Joint Committee on Government Organization (hereinafter referred to as the joint committee).

Joint Committee on Government Organization, establishment.

(b) The joint committee shall be composed of nine Members of the Senate, appointed by the President of the Senate, and nine Members of the House of Representatives, appointed by the Speaker of the House of Representatives.

Composition and appointment.

Duties.

SEC. 2. It shall be the duty of the joint committee—

Investigations.

(a) To investigate the organization and activities of the departments, independent establishments, bureaus, boards, commissions, divisions, services, offices, and other agencies of the Government, with the view to determining whether, in the interest of simplification, efficiency, or economy, or in order to eliminate conflicting or overlapping activities, any of such organizations or units should be coordinated or consolidated with any other organization or unit, reorganized, or abolished, or the personnel thereof reduced; and

Reports and recommendations.

(b) To report, from time to time, to the Senate and the House of Representatives, the results of its investigations together with such recommendations as it deems advisable.

Hearings.

SEC. 3. The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. Subpenas shall be issued under the signature of the chairman of said joint committee, and shall be served by any person designated by him. Amounts appropriated for the expenses of the joint committee shall be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House.

Subpenas.

Expenses.
Post, p. 9.

Officers, experts, and employees.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. Officers and employees of the Government shall be detailed to the service of the joint committee, on its request, without additional compensation, and such officers and employees shall be paid from the appropriations regularly available for their salaries.

5 U. S. C. § 673.

Details from Government offices; compensation.

Approved, February 3, 1937.

[CHAPTER 9]

February 9, 1937
[H. R. 3587]
[Public, No. 4]

AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes.

First Deficiency Appropriation Act, fiscal year 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1937, and for other purposes, namely:

General appropriations.

TITLE I—GENERAL APPROPRIATIONS

Legislative.

LEGISLATIVE

Senate.

SENATE

Louis Murphy.
Pay to widow.

To pay to Ellen E. Murphy, widow of Honorable Louis Murphy, late a Senator from the State of Iowa, $10,000.

Peter Norbeck.
Pay to widow.

To pay to Lydia Norbeck, widow of Honorable Peter Norbeck, late a Senator from the State of South Dakota, $10,000.

Miscellaneous items.

For miscellaneous items, exclusive of labor, fiscal year 1937, $160,000.

Inquiries and investigations.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1937, $125,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the Subsistence Expense Act of 1926, approved June 3, 1926, as amended: *Provided further*, That the rate of compensation for any position under the appropriations now available for, or herein or hereafter made for, expenses of inquiries and investigations of the Senate or expenses of special and select committees of the House of Representatives shall not exceed the rates fixed under the Classification Act of 1923, as amended, for positions with comparable duties; and the salary limitations of $3,600 attached to appropriations heretofore made for expenses of inquiries and investigations of the Senate or for expenses of special and select committees of the House of Representatives are hereby repealed.

Provisos
Per diem and subsistence expenses.
44 Stat. 688.
5 U. S. C. §§ 821–833
Rate of compensation restricted.

5 U. S. C. § 673.

Certain salary limitations repealed.

Office of Sergeant at Arms and Doorkeeper: For two laborers, from February 1 to June 30, 1937, at the rate of $1,260 per annum each, $1,050.

Laborers.

HOUSE OF REPRESENTATIVES

House of Representatives.

For payment to the widow of Glover H. Cary, late a Representative from the State of Kentucky, $10,000.

Glover H. Cary.
Pay to widow.

For payment to the widow of Warren J. Duffey, late a Representative from the State of Ohio, $10,000.

Warren J. Duffey.
Pay to widow.

For payment to the widow of William V. Gregory, late a Representative from the State of Kentucky, $10,000.

William V. Gregory.
Pay to widow.

For payment to the widow of Bernhard M. Jacobsen, late a Representative from the State of Iowa, $10,000.

Bernhard M. Jacobsen.
Pay to widow.

For payment to the widow of Andrew J. Montague, late a Representative from the State of Virginia, $10,000.

Andrew J. Montague.
Pay to widow.

For payment to the widow of John J. McSwain, late a Representative from the State of South Carolina, $10,000.

John J. McSwain.
Pay to widow.

For payment to the widow of Marion A. Zioncheck, late a Representative from the State of Washington, $10,000.

Marion A. Zioncheck.
Pay to widow.

The foregoing appropriations to be disbursed by the Sergeant at Arms of the House.

Contingent Expenses: For telegraph and telephone service, exclusive of personal services, fiscal year 1936, $7,500.

Contingent expenses.

For the procurement of a portrait of Honorable Joseph W. Byrns, Speaker of the House of Representatives of the Seventy-fourth Congress, $2,500; and for the procurement of a portrait of Honorable William B. Bankhead, Speaker of the House of Representatives of the Seventy-fourth and Seventy-fifth Congresses, $2,500; in all, $5,000, to be disbursed by the Clerk of the House under the direction of the Speaker of the Seventy-fifth Congress.

Portraits of former Speaker Joseph W. Byrns and Speaker William B. Bankhead.

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

Joint Committee on Government Organization.

For the payment of the salaries and other expenses of the Joint Committee on Government Organization as authorized by law, fiscal year 1937, to remain available during the fiscal year 1938, $30,000, one-half of such amount to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

Salaries and expenses.
Ante, p. 7.

OFFICE OF ARCHITECT OF THE CAPITOL

Office of Architect of the Capitol.

Air-conditioning, Capitol, Senate, and House Office Buildings: The appropriation for air-conditioning, Capitol, Senate, and House Office Buildings, contained in the Second Deficiency Appropriation

Air-conditioning, Capitol, Senate, and House Office Buildings.
49 Stat. 571.

Availability.

Act, fiscal year 1935, approved August 12, 1935, shall continue available for the same purposes until June 30, 1938; and in addition there is appropriated, to be merged with, and to be available for the same purposes as, the appropriation hereinbefore extended, the sum of $1,672,000, to remain available until June 30, 1938; all funds to be available for structural changes, alterations and additions at the Capitol Power Plant.

Executive

EXECUTIVE

Independent offices.

INDEPENDENT OFFICES

Emergency relief.

RELIEF AND WORK RELIEF

Relief and work relief.
49 Stat. 1608.

To continue to provide relief and work relief as authorized in the Emergency Relief Appropriation Act of 1936, and subject to all the provisions thereof, $789,000,000, which amount shall be added to, and proportionately increase the specified amounts of the limitations prescribed under, the appropriation made in such Act: *Provided*, That no part of this appropriation or of the appropriation in the Emergency Relief Appropriation Act of 1936 shall be used to pay the compensation of any person, not taken from relief rolls, detailed or loaned for service in connection with any investigation or inquiry undertaken by any committee of either House of Congress under special resolution thereof. This proviso shall not take effect until thirty days after the date of the enactment of this Act.

Proviso.
Legislative investigating committees.
Details to, limitation.

Effective date.

Charles Carroll of Carrollton Bicentenary Commission.
Expenses.

CHARLES CARROLL OF CARROLLTON BICENTENARY COMMISSION

For every expenditure requisite for and incident to the performance of the duties of the Charles Carroll of Carrollton Bicentenary Commission in carrying into effect the provisions of Public Resolution Numbered 106, Seventy-fourth Congress, approved June 15, 1936, including personal services in the District of Columbia and elsewhere; travel expenses, and subsistence at not to exceed $5 per day; erection of markers and memorials; postage, printing and binding, services, office supplies and equipment; pageantry, cartographic maps and publications and their distribution, promotion and stimulation of school activities through and by means of essay and public-speaking contests and by other methods, cooperation with the State of Maryland and patriotic societies; fiscal year 1937, to remain available during the fiscal year 1938, $12,500.

49 Stat. 1516.

Cooperation with Maryland.

District of Columbia Airport Commission.
Expenses.
49 Stat. 1236.

DISTRICT OF COLUMBIA AIRPORT COMMISSION

For the payment of all necessary expenses in carrying out the provisions of the Act entitled "An Act to establish a commercial airport for the District of Columbia", approved April 21, 1936, including compensation of experts and other assistants, printing and binding, contract stenographic reporting service without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), and for the payment of obligations heretofore incurred in carrying out the purposes of such Act, $10,000, one-half of such sum to be paid from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

R. S. § 3709.
41 U. S. C. § 5.

Emergency Conservation Work.

Administrative expenses and compensation payments.
48 Stat. 22.

EMERGENCY CONSERVATION WORK

For an additional amount for the purpose of carrying into effect the provisions of the Act entitled "An Act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933, which Act, as amended, is hereby continued in full force and effect to and including June 30,

1937, $95,000,000, to be expended under the direction of the President and to be available until June 30, 1937, for the same purposes and objects as those specified under this head in the First Deficiency Appropriation Act, fiscal year 1936.

49 Stat. 1601.

FARM CREDIT ADMINISTRATION

Farm Credit Administration.

Crop production and harvesting loans: To enable the Governor of the Farm Credit Administration to carry into effect the provisions of the Act entitled "An Act to provide for loans to farmers for crop production and harvesting during the year 1937, and for other purposes", approved January 29, 1937, including personal services and rent in the District of Columbia and elsewhere; traveling expenses; paper, printing, and binding; supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate involved does not exceed $50, and such other expenses as may be necessary, fiscal year 1937, to remain available until June 30, 1938, $50,000,000.

Crop production and harvesting loans.

Ante, p. 5.

Supplies and services.

41 U. S. C. § 5.

FEDERAL COMMUNICATIONS COMMISSION

Federal Communications Commission.

For an additional amount for all authorized expenditures of the Federal Communications Commission, including personal services in the District of Columbia and elsewhere, in completing the investigation and reporting to Congress on matters with respect to the American Telephone and Telegraph Company and all other companies engaged directly or indirectly in telephone communication in interstate commerce, as authorized and directed in Public Resolution Numbered 8, Seventy-fourth Congress, approved March 15, 1935 (49 Stat. 43), $350,000, to continue available until June 30, 1938.

Investigation of telephone companies.

49 Stat. 43.

VETERANS' ADMINISTRATION

Veterans' Administration.

Adjusted service and dependent pay: For an additional amount for "Adjusted-service and dependent pay, Veterans' Administration", and for reimbursing the adjusted-service certificate fund in the amount of disbursements heretofore made therefrom and properly chargeable to the appropriation "Adjusted-service and dependent pay", $1,000,000, to remain available until June 30, 1938.

Adjusted service and dependent pay.

49 Stat. 1182.

DISTRICT OF COLUMBIA

District of Columbia.

GENERAL EXPENSES

General expenses.

Boiler Inspection and Regulation: For personal services, equipment, instruments, supplies, transportation, and other contingent expenses necessary for the enforcement of the Act entitled "An Act to provide for the inspection, control, and regulation of steam boilers and unfired pressure vessels in the District of Columbia", approved June 25, 1936 (49 Stat., 1917), fiscal year 1937, $3,000.

Boiler inspection service.

49 Stat. 1917.

Employees' Compensation Fund: For an additional amount for carrying out the provisions of section 11 of the District of Columbia Appropriation Act, approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, fiscal year 1937, $10,000.

Employees' Compensation Fund.

41 Stat. 104.

39 Stat. 742.

5 U. S. C. §§ 751–796.

Office of Register of Wills: For an additional amount for miscellaneous and contingent expenses, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1937, $3,000.

Register of Wills, office expenses.

49 Stat. 1858.

Contingent, etc., expenses.

CONTINGENT AND MISCELLANEOUS EXPENSES

Postage.

Postage: For an additional amount for postage for strictly official mail matter, including the rental of postage-meter equipment, fiscal year 1937, $3,000.

Printing and binding.

Printing and Binding: For an additional amount for printing and binding, including the same limitations and provisions under this heading in the District of Columbia Appropriation Act for the fiscal year 1937, $5,000.

49 Stat. 1859.

Fire Department.

FIRE DEPARTMENT

Purchases modified.

49 Stat. 1872.

The appropriation, contained in the 1937 District of Columbia Appropriation Act, approved June 23, 1936 (49 Stat. 1872), reading "For three aerial hook and ladder trucks, four combination hose wagons, and two pumping engines, triple combination, all motor driven, $92,000", is hereby changed to read as follows: "For additional fire-fighting apparatus, $92,000".

DIVISION OF EXPENSES

Division of expenses.

The foregoing sums for the District of Columbia shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for the respective fiscal years for which such sums are provided.

Department of Agriculture.

DEPARTMENT OF AGRICULTURE

Forest Service.

FOREST SERVICE

Forest fire prevention, etc.

Fighting and preventing forest fires: For an additional amount for fighting and preventing forest fires, including the same objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1937, $2,045,000.

49 Stat. 1439.

Commodity Exchange Act.

ENFORCEMENT OF THE COMMODITY EXCHANGE ACT

Enforcement expenses.

7 U. S. C., Supp. II, §§ 1–17a.

For carrying into effect the provisions of the Commodity Exchange Act (U. S. C., Supp. II, title 7, secs. 1–17 (a)) including the employment of persons and means in the District of Columbia and elsewhere, fiscal year 1937, $100,000.

Department of the Interior.

DEPARTMENT OF THE INTERIOR

War Minerals Relief Commission.

WAR MINERALS RELIEF COMMISSION

Administrative expenses.

Administrative expenses: For an additional amount for administrative expenses of the War Minerals Relief Commission for the fiscal year 1937, including the same objects specified under this head in the Interior Department Appropriation Act for the fiscal year 1937, $6,400.

49 Stat. 1760.

Department of Justice.

DEPARTMENT OF JUSTICE

Attorney General's office.

OFFICE OF THE ATTORNEY GENERAL

Salaries.

Salaries: For an additional amount for salaries, Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act, 1937, $10,450.

49 Stat. 1322.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Miscellaneous.

Preparation of Rules in Actions at Law: For an additional amount for preparation of rules in actions at law, including the same objects specified under this head in the First Deficiency Appropriation Act, fiscal year 1935, $23,500, to remain available until June 30, 1938.

Preparation of rules in actions at law.

49 Stat. 52.

UNITED STATES SUPREME COURT

United States Supreme Court.

Miscellaneous Expenses: For an additional amount for miscellaneous expenses, United States Supreme Court, including the same objects specified under this head in the First Deficiency Appropriation Act, fiscal year 1936, $25,000, to remain available until June 30, 1938.

Miscellaneous expenses.

49 Stat. 1625.

DEPARTMENT OF LABOR

Department of Labor.

OFFICE OF THE SECRETARY

Secretary's office.

Division of Public Contracts: For personal services in the District of Columbia and elsewhere, in performing the duties imposed by the Act entitled "An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (49 Stat. 2036), including supplies, stationery, printing and binding, telephone service, telegrams, furniture, office equipment, traveling expenses, contract stenographic reporting services, and other necessary expenses, fiscal year 1937, $50,000.

Division of Public Contracts.
Salaries and expenses.

49 Stat. 2036.
41 U. S. C., Supp. II, §§ 35–45.

Transporting Filipinos to the Philippine Islands: For all authorized expenditures in the fiscal year 1937 and to and including December 31, 1937, necessary to enable the Secretary of Labor to administer the provisions of the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935 (49 Stat., 478), as amended by the Act approved June 4, 1936 (49 Stat., 1462), $150,000, together with the unexpended balance of the appropriation for this purpose contained in the Supplemental Appropriation Act, fiscal year 1936.

Transporting Filipinos to the Philippine Islands.

49 Stat. 478, 1462.

Sum reappropriated.
49 Stat. 1121.

NAVY DEPARTMENT

Navy Department.

OFFICE OF THE SECRETARY

Secretary's office.

Claims for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922, as fully set forth in House Document Numbered 110 Seventy-fifth Congress, $1,285.83.

Collision damage claims.

42 Stat. 1066.
34 U. S. C. § 599.

POST OFFICE DEPARTMENT

Post Office Department.

OUT OF THE POSTAL REVENUES

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Second Assistant Postmaster General.

Contract Air Mail Service: For an additional amount for the inland transportation of mail by aircraft, including the same objects specified under this head in the Post Office Department Appropriation Act for the fiscal year 1937, $984,000.

Contract Air Mail Service.

49 Stat. 1850.

Treasury Department.

TREASURY DEPARTMENT

Secretary's office

OFFICE OF THE SECRETARY

Payments to Federal land banks on account of interest rate reductions.

Payments to Federal land banks on account of reductions in interest rate on mortgages: For an additional amount for payments to each Federal land bank of such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such bank have been reduced during the fiscal year beginning July 1, 1936, in accordance with the provisions of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended, to supplement the amount made available for this purpose for the fiscal year 1937 in one fund by the "First Deficiency Appropriation Act, fiscal year 1936", $6,000,000.

49 Stat. 314
12 U. S. C., Supp. II, § 771.

49 Stat. 1655.

Accounts and Deposits office.

OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Contingent expenses, public moneys.

Contingent expenses, public moneys: For an additional amount for contingent expenses, public moneys, including the same objects, specified under this head in the Treasury Department Appropriation Act, 1937, $75,000.

49 Stat. 1831.

Bureau of the Budget.

BUREAU OF THE BUDGET

Printing and binding
Funds transferred.
49 Stat 1833.

Printing and bindng[1]: Not to exceed $5,000 of the appropration[1] for salaries and expenses, Bureau of the Budget, fiscal year 1937, may be transferred to the appropriation for printing and binding, Bureau of the Budget, fiscal year 1937.

Coast Guard.

COAST GUARD

Contingent expenses.

Contingent expenses: For an additional amount for contingent expenses, Coast Guard, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $25,000.

49 Stat. 1836.

Bureau of Engraving and Printing.

BUREAU OF ENGRAVING AND PRINTING

Salaries and expenses.

Salaries and expenses: For an additional amount for salaries and expenses, Bureau of Engraving and Printing, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $1,400,000, to remain available until June 30, 1938.

49 Stat. 1837.

Procurement Division—Public Buildings Branch.

PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

Los Angeles, Calif., post office, etc.; cost limit increased.
49 Stat. 599.

Los Angeles, California, post office and courthouse, and so forth: The limit of cost authorized under the provisions of the Second Deficiency Appropriation Act, fiscal year 1935, for the construction of a post office and courthouse building in Los Angeles, California, is hereby increased from $6,250,000 to $7,280,000; and the Secretary of the Treasury is authorized to enter into contracts for said building at a cost of not to exceed the latter amount.

Peoria, Ill.

Peoria, Illinois, post office and courthouse: The limit of cost authorized under the provisions of the Second Deficiency Appropriation Act, fiscal year 1935, for the construction of a post office and courthouse building in Peoria, Illinois, is hereby increased from $1,000,000 to $1,200,000; and the Secretary of the Treasury is authorized to enter into contracts for said building at a cost of not to exceed the latter amount.

Springerville, Ariz.

Springerville, Arizona, forestry and post office building: The limit of cost authorized under the provisions of the Second Deficiency

[1] So in original.

Appropriation Act, fiscal year 1935, for the construction of a post office and forestry building in Springerville, Arizona, is hereby increased from $75,000 to $105,000; and the Secretary of the Treasury is authorized to enter into contracts for said building at a cost of not to exceed the latter amount.

WAR DEPARTMENT

War Department.

OFFICE OF THE SECRETARY OF WAR

Secretary's office.

Collision damage claims.

Claims for damages by collision with river and harbor vessels: To pay claims for damages by collision with river and harbor vessels adjusted and determined by the War Department under the provision of section 9 of the River and Harbor Act, approved June 5, 1920 (U. S. C., title 33, sec. 564), as set forth in House Document Numbered 120, Seventy-fifth Congress, $2,087.20.

41 Stat. 1015.
33 U. S. C. § 564.

QUARTERMASTER CORPS

Quartermaster Corps.

Regular supplies.
Sums transferred.
49 Stat. 1283, 1282, 1294, 1295.

Regular supplies of the Army: There is hereby transferred to the appropriation "Regular Supplies of the Army, 1937", the following amounts from the following appropriations: "Travel of the Army, 1937", $240,000; "Pay of the Army, 1937", $180,000; "Medical and Hospital Department, 1937", $13,000; and "Ordnance Services and Supplies, 1937", $7,000; in all, $440,000.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

Judgments and authorized claims.

PROPERTY DAMAGE CLAIMS

Property damage claims.

Settlement of, not in excess of $1,000.

SECTION 1. For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in House Document Numbered 114 of the Seventy-fifth Congress, as follows:

42 Stat. 1066.
31 U. S. C. §§ 215–217.

Works Progress Administration, $10,340.22;
Department of Commerce, $291.05;
Department of the Interior, $165.56;
Navy Department, $61.66;
Treasury Department, $1,220.40;
War Department, $21,051.22;
Post Office Department (payable from postal revenues), $743.81;
In all, $33,873.92.

JUDGMENTS, UNITED STATES COURTS

United States courts, judgments.

Payment of.

SEC. 2. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761–765), certified to the Seventy-fifth Congress in House Document Numbered 117 under the following departments and establishments, namely:

24 Stat. 505.
28 U. S. C. § 41, par. 20; § 258; §§ 761–765.

Department of Agriculture, $539.25;
Post Office Department, $600;
Treasury Department, $1,749.86;
War Department, $23,014.89;

Interest.

In all, $25,904, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

Suits in admiralty.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States District Courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs 781–789), certified to the Seventy-fifth Congress in House Document Numbered 117, under the following departments, namely:

43 Stat. 1112.
46 U. S. C. §§ 781–789.

Navy Department, $6,013.83;
Treasury Department, $11,468.70;
War Department, $6,656.64;

Interest.

In all, $24,139.17, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

Time of payments.

(c) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Restriction on interest payments.

(d) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Judgments, Court of Claims.

JUDGMENTS, COURT OF CLAIMS

Payment of.

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fifth Congress in House Document Numbered 115, under the following departments and establishments, namely:

Architect of the Capitol, $1,662.50;
United States Shipping Board, Emergency Fleet Corporation, $194,500.50;
Veterans' Administration, $1,680;
Department of Commerce, $19,914.01;
Navy Department, $12,568.74;
Treasury Department, $3,787.73;
War Department, $132,414.87;

Interest.

In all, $366,528.35, together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

Time of payments.

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Audited claims.

AUDITED CLAIMS

Payment of.

SEC. 4 (a). For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1934 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 113, Seventy-fifth Congress, there is appropriated as follows:

18 Stat. 110.
31 U. S. C. § 713.

23 Stat. 254.
5 U. S. C. § 266.

Independent offices.

Independent offices: For salaries and expenses, Veterans' Administration, $897.05.

Department of Commerce.

Department of Commerce: For increase of compensation, Department of Commerce, $76.73.

For air-navigation facilities, $4,347.63.

For salaries and expenses, Bureau of the Census, 45 cents.

For promoting commerce in Europe and other areas, $41.91.

For transportation of families and effects of officers and employees, Bureau of Foreign and Domestic Commerce, $46.49.

For general expenses, lighthouse service, $650.28.

For salaries, lighthouse vessels, $123.13.

For surveying expenses, Coast and Geodetic Survey, $200.

Navy Department.

Navy Department: For pay, subsistence, and transportation, Navy, $1,113.83.

For general expenses, Marine Corps, $29.50.

For judgments, bounty for destruction of enemy's vessels, $22.15.

For prize money to captors, Spanish War, $85.62.

Treasury Department.

Treasury Department: For salaries, Office of Chief Clerk and Superintendent, $32.40.

For collecting the revenue from customs, $83.11.

For Coast Guard, $217.97.

For pay and allowances, Coast Guard, $1,362.41.

For contingent expenses, Coast Guard, $6.09.

For fuel and water, Coast Guard, $98.40.

For rebuilding and repairing stations, and so forth, Coast Guard, $223.

For retired pay, former life-saving service, $1,858.19.

For collecting the internal revenue, $32.48.

For enforcement of Narcotic and National Prohibition Acts, $6.24.

For salaries and expenses, Bureau of Narcotics, $26.07.

For suppressing counterfeiting and other crimes, $4.16.

For pay of other employees, Public Health Service, $68.17.

For pay of personnel and maintenance of hospitals, Public Health Service, $610.58.

For collecting the war revenue, $87.50.

For increase of compensation, Treasury Department, $14.

For mechanical equipment for public buildings, $146.28.

For operating force for public buildings, $14.16.

For operating supplies for public buildings, $16.38.

For furniture and repairs of same for public buildings, $5.64.

For salaries, Procurement Division, $250.

For general expenses, Procurement Division, $3.

For operating expenses, Treasury buildings, Procurement Division, $1,466.49.

War Department.

War Department: For pay, and so forth, of the Army, $13,262.53.

For pay of the Army, $256.59.

For general appropriations, Quartermaster Corps, $182.52.

For clothing and equipage, $72.90.

For subsistence of the Army, 80 cents.

For National Guard, $2,249.66.

For Ordnance service and supplies, Army, $150.

Post Office Department.

Post Office Department—Postal Service (out of the postal revenues): For carfare and bicycle allowance, $50.

For city-delivery carriers, $234.32.

For clerks, first- and second-class postoffices, $1,095.90.

For clerks, third-class post offices, $479.21.

For compensation to postmasters, $9,791.26.

For compensation to assistant postmasters, $48.72.

For foreign-mail transportation, $1,512.

For freight, express, or motor transportation of equipment, and so forth, $45.12.

For indemnities, domestic mail, $279.40.

For indemnities, international mail, $406.73.

For labor-saving devices, $3.

For miscellaneous items, first- and second-class post offices $257.33.

For operating force, public buildings, Post Office Department, $278.24.

For operating supplies for public buildings, Post Office Department, $477.77.

For post-office equipment and supplies, $374.99.

For railroad transportation and mail messenger service, $1,765.82.

For Railway Mail Service, miscellaneous expenses, $3,722.36.

For Railway Mail Service, salaries, $23.67.

For rent, light, and fuel, $10,523.46.

For Rural Delivery Service, $487.56.

For separating mails, $58.19.

For special delivery fees, $28.80.

For star-route service, $390.16.

For unusual conditions at post offices, $38.50.

For vehicle service, $969.76.

For village delivery service, $68.40.

Total; additional sum, increases in rates of exchange.

Total, audited claims, section 4 (a), $63,853.16, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Judgments against collectors of customs.

SEC. 5. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by United States District Court for the Southern District of New York against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U. S. C., title 28, sec. 842), and certified to the Seventy-fifth Congress in House Document Numbered 112, under the Department of Labor, $65,954.49.

R. S. § 989.
28 U. S. C. § 842.

Army disbursing officers; allowance for certain automobile shipments.
49 Stat. 1107.
5 U. S. C. § 266.

SEC. 6. For the payment of claims allowed by the General Accounting Office pursuant to Public Act Numbered 436 of the Seventy-fourth Congress, which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in House Document Numbered 116, Seventy-fifth Congress, under the War Department, $1,353.01.

Francis J. Baker. Payment of claim.
45 Stat. 2362.

SEC. 7. For the payment of a claim allowed by the General Accounting Office pursuant to Private Act Numbered 524 of the Seventieth Congress, which has been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in House Document Numbered 121, Seventy-fifth Congress, under the War Department, $141.

23 Stat. 254.
5 U. S. C. § 266.

Interest withheld from claimants.

SEC. 8. Interest withheld from claimants: For payment of interest on amounts withheld from claimants by the Comptroller General of the United States, Act of March 3, 1875, as amended by section 13 of the Act of March 3, 1933 (47 Stat., 1516), as allowed by the General Accounting Office, and certified to the Seventy-fifth Congress in House Document Numbered 118, under the Post Office Department, $391.20, and under the Treasury Department, $8,406.14; in all, $8,797.34.

47 Stat. 1516.
31 U. S. C. § 227.

Interest on judgments against collectors of customs.

SEC. 9. Payment of interest on judgments against collector of customs: For payment of interest in certain cases where the original judgments in favor of the Transatlantica Italiana made no provision

for the payment of interest, but where interest was subsequently ordered by the United States District Court for the Southern District of New York, as certified to the Seventy-fifth Congress in House Document Numbered 111, under the Department of Labor, $551.42.

Citation of Act.

SEC. 10. This Act may be cited as the First Deficiency Appropriation Act, fiscal year 1937.

Approved, February 9, 1937.

[CHAPTER 10]

AN ACT

February 11, 1937
[S. 1439]
[Public, No. 5]

To provide for loans made necessary by floods or other catastrophes in the year 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a Disaster Loan Corporation with nonassessable capital stock in an amount not to exceed $20,000,000. The Reconstruction Finance Corporation is authorized and directed to subscribe for such stock and to make payment therefor from time to time as called, out of the unexpended balance of the $50,000,000 which the Reconstruction Finance Corporation was authorized to lend for catastrophe relief by section 1 of the Act of April 17, 1936 (Public, Numbered 525, Seventy-fourth Congress). Such Disaster Loan Corporation shall be managed by officers and agents to be appointed by the Reconstruction Finance Corporation under such rules and regulations as its board of directors may prescribe.

Disaster Loan Corporation; establishment, capital stock, etc.

Subscription by Reconstruction Finance Corporation.

49 Stat. 1232.
15 U. S. C., Supp. II, § 605k.

Management.

Such Disaster Loan Corporation shall be empowered to make, upon such terms and conditions and in such manner as it may prescribe, such loans as it may determine to be necessary or appropriate because of floods or other catastrophes in the year 1937. Such Disaster Loan Corporation may use all its assets, including capital and net earnings therefrom, in the exercise of its functions.

Loans authorized for flood, etc., relief.
Post, p. 211.

The Disaster Loan Corporation shall have succession until dissolved by Act of Congress; shall have power to sue and be sued in any court, to adopt and use a corporate seal, to make contracts, and to acquire, hold, and dispose of real and personal property necessary and incident to the conduct of its business; and shall have such other powers as may be necessary and incident to carrying out its powers and duties under this Act.

Corporate powers.

Approved, February 11, 1937.

[CHAPTER 11]

JOINT RESOLUTION

February 12, 1937
[S. J. Res. 20]
[Pub. Res., No. 5]

Authorizing the President to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested, by proclamation or in such manner as he may deem proper, to invite the Pan American Republics and the Dominion of Canada to participate in the proposed Greater Texas and Pan American Exposition, to be held in the city of Dallas in the State of Texas during the year 1937.

Greater Texas and Pan American Exposition.

President authorized to invite certain countries to participate.
Post, p. 58.

Approved, February 12, 1937.

[CHAPTER 12]

JOINT RESOLUTION

February 19, 1937
[S. J. Res 38]
[Pub. Res , No. 6]

To extend for a period of two years the guarantee by the United States of debentures issued by the Federal Housing Administrator.

Federal Housing Administration.
Guaranty of debentures of, extended.
48 Stat. 1249.
12 U. S. C. § 1710.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 204 (b) of the National Housing Act, as amended, is amended by striking out "July 1, 1937" and inserting in lieu thereof "July 1, 1939".

Approved, February 19, 1937.

[CHAPTER 13]

AN ACT

February 20, 1937
[S. 974]
[Public, No. 6]

To create the Capital Auditorium Commission.

Capital Auditorium Commission; creation, composition, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a Commission to consist of the chairman and the ranking minority member of the Committee on Public Buildings and Grounds of the House of Representatives, the chairman and the ranking minority member of the Committee on Public Buildings and Grounds of the Senate, and the Secretary of the Interior, said Commission to be known as the Capital Auditorium Commission.

Authority to investigate sites.

Said Commission shall be authorized to investigate as to desirable sites for an auditorium to be constructed in the city of Washington with sufficient capacity, in the opinion of the Commission, to meet the requirements of public convenience and necessity.

Ascertainment of cost of site and construction thereon.

The Commission is authorized to ascertain the approximate cost of a suitable site and of the erection of an auditorium thereon and to formulate plans, and to recommend how that cost shall be borne and how the auditorium, when constructed, shall be controlled and supervised.

Report to Congress.

The Commission shall report to the Congress its plans and recommendations for legislation to carry out the same at any time during the present session of the Congress.

Approved, February 20, 1937.

[CHAPTER 15]

AN ACT

February 24, 1937
[S. 466]
[Public, No. 7]

Granting the consent of Congress to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge across the White River at or near Eagle Rock, Missouri.

White River.
Barry County, Mo., may bridge, at Eagle Rock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the county of Barry, State of Missouri, to construct, maintain, and operate a free highway bridge and approaches thereto across the White River, at a point suitable to the interests of navigation, at or near Eagle Rock, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
34 Stat. 84.
33 U. S. C. §§ 491-498.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, February 24, 1937.

[CHAPTER 16]

AN ACT

To extend the time for completing the construction of a bridge across the Delaware River near Trenton, New Jersey.

February 24, 1937
[S. 715]
[Public, No. 8]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for completing the construction of the bridge authorized by Act of Congress approved August 24, 1912, to be built by the Pennsylvania Railroad Company and the Pennsylvania and Newark Railroad Company across the Delaware River near the city of Trenton, New Jersey, which has heretofore been extended by Congress to August 24, 1937, is hereby extended for a further period of three years from the last-named date: *Provided*, That it shall not be lawful to complete or commence the completion of said bridge until plans thereof shall again be submitted to and approved by the Chief of Engineers and by the Secretary of War.

Delaware River.
Time extended for bridging, at Trenton, N. J.
37 Stat. 492; 48 Stat. 355.

Proviso.
Resubmission of plans.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, February 24, 1937.

[CHAPTER 17]

JOINT RESOLUTION

To make funds available for health and sanitation activities in the areas recently stricken by floods.

February 24, 1937
[H. J. Res. 229]
[Pub. Res., No. 7]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to allocate funds to the United States Public Health Service for health and sanitation activities in the areas recently stricken by floods from the appropriation made in the Emergency Relief Appropriation Act of 1936, as supplemented by the appropriation for relief and work relief in the First Deficiency Appropriation Act, fiscal year 1937, for the following purposes: (1) Grants to States for the purpose of aiding such States, or any county, health district, or other political subdivision thereof, in establishing and maintaining adequate public health services in the prevention and control of diseases in the areas recently stricken by floods, under regulations prescribed by the Surgeon General of the United States Public Health Service; (2) the employment of personnel in the city of Washington and elsewhere, without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended, to replace commissioned officers and other employees of such Public Health Service detailed to such areas; (3) reimbursement of appropriations of such Service for expenditures made from such appropriations for emergency work in such areas; and (4) the purchase of supplies and equipment to replace articles furnished from stock on hand for the care, support, and maintenance of flood refugees and in rendering assistance to health authorities.

Health and sanitation, flood-stricken areas.
Funds authorized for designated activities in.
49 Stat. 1608; *Ante*, p. 10.

Grants to States.

Services in the District of Columbia.
5 U. S. C. §§ 661-674.

Reimbursement for emergency expenditures.

Supplies and equipment.

The allocations made by authority of this joint resolution shall not be exclusive but shall be in addition to those which otherwise may be made under the provisions of such Emergency Relief Appropriation Act of 1936, as supplemented.

Allocations not exclusive.

Approved, February 24, 1937.

[CHAPTER 18]

JOINT RESOLUTION

February 25, 1937
[S. J. Res. 70]
[Pub. Res., No. 8]

Relating to the participation by the United States in the International Exposition of Paris, 1937.

International Exposition of Paris, 1937.
Additional authority for housing, etc., U. S. exhibits.
49 Stat 1200.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the authority heretofore granted by the joint resolution, approved April 10, 1936, relating to the participation by the United States in the International Exposition of Paris, 1937, the Commissioner General and the Commissioner are hereby authorized to make such expenditures as may be necessary for the purpose of purchasing, constructing, or renovating exhibits, for the proper housing of exhibits (including the decoration, operation, and maintenance of buildings by contract without regard to the provisions of section 3709, Revised Statutes, or otherwise, and the payment of any obligations heretofore or hereafter incurred in connection with the employment of architects and engineers and reimbursement of their necessary travel expenses), and for the transportation of material and exhibits from the United States to France, and from France to the United States after the close of such exposition.

Contracts, etc.
R. S. § 3709.
41 U. S. C. § 5.

Transportation of material, etc.

Personal services.

SEC. 2. Notwithstanding the provisions of section 3 of such resolution of April 10, 1936, the Commissioner General is authorized, without regard to the civil-service laws, to appoint, and without regard to the Classification Act of 1923, as amended, to fix the reasonable compensation of, such officers and employees as may be necessary to carry out the purposes of this resolution and of such resolution of April 10, 1936. This section shall be effective as of April 10, 1936.

5 U. S. C. §§ 661–674.

Effective date.

Functions and authority.

SEC. 3. (a) Any functions granted to the Commissioner General and the Commissioner jointly may be exercised by either of them, and any authority herein granted to the Commissioner General may be delegated to the Commissioner or to any other person that the Commissioner General may designate for the purpose.

Expenditures, accounts, etc.

(b) The approval and certification of expenditures under this resolution, and the submission of accounts and vouchers, shall be made in the manner prescribed in section 4 of such resolution of April 10, 1936, except that any functions of the Secretary of State under such section may, in his discretion, be delegated, without release of responsibility, to any person he may designate for the purpose.

49 Stat. 1201.

Antideficiency provision.

(c) Nothing in this resolution shall be construed to permit any indebtedness to be incurred in excess of the amount herein authorized to be appropriated.

Appropriation.

SEC. 4. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for carrying out the purposes of this resolution and of such resolution of April 10, 1936, the sum of $150,000, and the unexpended and unobligated balance of any sums heretofore appropriated pursuant to the authorization contained in such resolution of April 10, 1936, shall also be available for the purposes of this resolution.

49 Stat. 1633.

Availability.

SEC. 5. The Commissioner General and the Commissioner are, with the approval of the Secretary of State, authorized to make available to any governmental agency such part of the sums heretofore or hereafter appropriated for the purposes of this resolution and such resolution of April 10, 1936, as may be effectively used by such agency to aid in carrying out such purposes.

Return of exhibits, etc., at close.

SEC. 6. At the close of the exposition or when the connection of the Government of the United States therewith ceases, the Commissioner General and the Commissioner shall return all borrowed property and exhibits to their points of origin and shall dispose of any portion of the material contributed as may be unused or any

Disposition of unused property, etc.

property purchased in such manner as the Secretary of State may direct in the best interests of the Government, and account therefor.

Approved, February 25, 1937.

[CHAPTER 19]

JOINT RESOLUTION

To amend the Act entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935.

February 27, 1937
[H. J. Res. 212]
[Pub. Res., No. 9]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Act entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", approved August 29, 1935, is amended by striking out "February 28, 1937" and inserting in lieu thereof "June 30, 1938".

Certain tax levies upon carriers and their employees extended.
49 Stat. 976.
45 U. S. C., Supp. II, § 252.

Approved, February 27, 1937, 12 noon.

[CHAPTER 20]

AN ACT

To extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes.

March 1, 1937
[S. 417]
[Public, No. 9]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 16 of the Federal Reserve Act, as amended, is amended to read as follows:

Federal Reserve Act, amendment.
48 Stat. 398.
12 U. S. C. § 412.

"Any Federal Reserve bank may make application to the local Federal Reserve agent for such amount of the Federal Reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal Reserve agent of collateral in amount equal to the sum of the Federal Reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of section 13 of this Act, or bills of exchange endorsed by a member bank of any Federal Reserve district and purchased under the provisions of section 14 of this Act, or bankers' acceptances purchased under the provisions of said section 14, or gold certificates: *Provided, however*, That until June 30, 1939, the Board of Governors of the Federal Reserve System may, should it deem it in the public interest, upon the affirmative vote of not less than a majority of its members, authorize the Federal Reserve banks to offer, and the Federal Reserve agents to accept, as such collateral security, direct obligations of the United States. At the close of business on such date, or sooner should the Board of Governors of the Federal Reserve System so decide, such authorization shall terminate and such obligations of the United States be retired as security for Federal Reserve notes. In no event shall such collateral security be less than the amount of Federal Reserve notes applied for. The Federal Reserve agent shall each day notify the Board of Governors of the Federal Reserve System of all issues and withdrawals of Federal Reserve notes to and by the Federal Reserve bank to which he is accredited. The said Board of Governors of the Federal Reserve System may at any time call upon a Federal Reserve bank for additional security to protect the Federal Reserve notes issued to it."

Federal Reserve notes; issue to Federal Reserve bank.

38 Stat. 263, 264.
12 U. S. C. §§ 82, 342-347, 372; 353-359.

Provisos.
Time extended during which direct obligations may be used as collateral security.

Retirement of, on expiration

Security.

Daily notices of withdrawals, etc.

Additional security.

Approved, March 1, 1937.

[CHAPTER 21]

AN ACT

March 1, 1937
[H. R. 2518]
[Public, No. 10]

To provide for retirement of Justices of the Supreme Court.

Justices of the Supreme Court
Retirement provisions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Justices of the Supreme Court are hereby granted the same rights and privileges with regard to retiring, instead of resigning, granted to judges other than Justices of the Supreme Court by section 260 of the Judicial Code (U. S. C., title 28, sec. 375), and the President shall be authorized to appoint a successor to any such Justice of the Supreme Court so retiring from regular active service on the bench, but such Justice of the Supreme Court so retired may nevertheless be called upon by the Chief Justice and be by him authorized to perform such judicial duties, in any judicial circuit, including those of a circuit justice in such circuit, as such retired Justice may be willing to undertake.

28 U. S. C. § 375.

Appointment of successors
Recall to service.

Approved, March 1, 1937.

[CHAPTER 22]

JOINT RESOLUTION

March 1, 1937
[H. J. Res. 96]
[Pub. Res., No. 10]

To extend the authority of the President under section 350 of the Tariff Act of 1930, as amended.

Foreign-trade agreements.
Authority of President to enter into, extended.
48 Stat. 944.
19 U. S. C. § 1351.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the period during which the President is authorized to enter into foreign-trade agreements under section 350 of the Tariff Act of 1930, as amended by the Act (Public, Numbered 316, Seventy-third Congress) approved June 12, 1934, is hereby extended for a further period of three years from June 12, 1937.

Approved, March 1, 1937.

[CHAPTER 24]

JOINT RESOLUTION

March 2, 1937
[S. J. Res. 84]
[Pub. Res., No. 11]

To authorize the Postmaster General to withhold the awarding of star-route contracts for a period of sixty days.

Postal Service.
Award of star-route contracts deferred.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to withhold the awarding of star-route contracts for which bids have been received in the first contract section for a period of sixty days after March 1, 1937.

Approved, March 2, 1937.

[CHAPTER 25]

AN ACT

March 4, 1937
[S. 62]
[Public, No. 11]

To extend the times for commencing and completing the construction of a free highway bridge across the Missouri River at or near Atchison, Kansas.

Missouri River.
Time extended for bridging, at Atchison, Kans.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the free highway bridge, and approaches thereto, across the Missouri River, at a point suitable to the interests of navigation, at or near the city of Atchison, Kansas, authorized to be built by the city of Atchison, Kansas, and the county of Buchanan, Missouri, or either of them, or the States of Kansas and Missouri, or either of them, or the highway departments of such States, acting jointly or severally, by an Act of Congress approved June 18, 1934, are hereby extended one and three years, respectively, from June 18, 1937.

48 Stat. 991.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, March 4, 1937.

[CHAPTER 26]

AN ACT

March 4, 1937
[S. 1128]
[Public, No. 12]

Authorizing the Secretary of the Navy to accept gifts and bequests for the benefit of the Office of Naval Records and Library, Navy Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized to accept, receive, hold, and administer gifts and bequests of personal property, and loans of personal property other than money, from individuals or others for the benefit of the Office of Naval Records and Library, Navy Department, its collection or its services. Gifts or bequests of money shall be deposited in the Treasury of the United States as trust funds under the title "Office of Naval Records and Library Fund." Office of Naval Records and Library, Navy Department. Acceptance of gifts, etc., authorized. Deposits of money as trust funds.

SEC. 2. Gifts or bequests for the benefit of the Office of Naval Records and Library, Navy Department, its collection or its services shall be exempt from all Federal taxes. Tax exemption.

SEC. 3. The Secretary of the Treasury is authorized, upon the request of the Secretary of the Navy, to invest or reinvest the trust funds, or any part thereof, deposited in the Treasury pursuant to section 1 of this Act in securities of the United States Government or in securities guaranteed by the United States Government. The interest accruing from such securities shall be deposited to the credit of the Office of Naval Records and Library Fund. Investments of trust funds. Interest.

Approved, March 4, 1937.

[CHAPTER 27]

AN ACT

March 4, 1937
[S. 1130]
[Public, No. 13]

To authorize the acceptance of certain lands in the city of San Diego, California, by the United States, and the transfer by the Secretary of the Navy of certain other lands to said city of San Diego.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized on behalf of the United States to accept from the city of San Diego, California, free from all encumbrances and without cost to the United States, all right, title, and interest in and to the lands contained within the following-described area: Beginning at the intersection of the southeasterly line of Harasthy Street with mean high-tide line of the Bay of San Diego, as said mean high-tide line was established by that certain superior court action numbered 35473; thence southwesterly along the southwesterly prolongation of the southeasterly line of Harasthy Street a distance of one hundred and fifty-nine and sixty-six one-hundredths feet to an intersection with the northeasterly Marine Base boundary line; thence north sixty degrees thirty-four minutes fifty-nine seconds west along the said Marine Base boundary line a distance of one thousand nine hundred and twenty-nine and eleven one-hundredths feet to its intersection with the said mean high-tide line of the Bay of San Diego; thence in a general southeasterly direction, following along the said mean high-tide line to the point or place of beginning, containing five and twenty-four-hundred-and-seventy-four ten-thousandths acres of land; also approximately five hundred and forty-four acres of pueblo lands, owned by the city of San Diego, more particularly described as follows: The easterly half of pueblo lot San Diego, Calif. Exchange of certain lands authorized. Tract ceded by city.

1300; all of pueblo lot 1309; all of pueblo lot 1310; all of that portion of pueblo lot 1311 lying easterly of Pacific Highway and southerly of Miramar Road; all of that portion of pueblo lot 1314 lying southerly of Miramar Road; all of that portion of pueblo lot 1315 lying southerly of Miramar Road; all of that portion of the westerly half of pueblo lot 1316 lying southerly of Miramar Road; said pueblo lands being according to the map thereof made by James Pascoe in 1870, a certified copy of which map is filed as miscellaneous map numbered 36 in the office of the county recorder of San Diego County, California; said lands being desired by the Navy Department for national defense, and particularly for the purpose of establishing and maintaining thereon a rifle range, together with barracks and other structures incident thereto.

Lands transferred to city.

The said Secretary of the Navy is also authorized hereby to transfer to the city of San Diego, California, free from all encumbrances and without cost to said city of San Diego, all rights, title, and interest of the United States in and to the lands contained within that part of the Marine Corps Base, San Diego, California, containing sixty and sixteen-hundred-and-five ten-thousandths acres, more particularly described as follows: Beginning at the point of intersection of the southwesterly prolongation of the northwesterly line of Bean Street with the combined United States pierhead and bulkhead line, as said combined United States pierhead and bulkhead line was established in 1928; thence north eighty-three degrees west a distance of seven hundred and twenty-nine and sixty-two one-hundredths feet along the said combined pierhead and bulkhead line to an intersection with the southwesterly prolongation of the southeasterly line of Harasthy Street; thence north twenty-eight degrees forty-nine minutes forty seconds east along the southwesterly prolongation of the southeasterly line of Harasthy Street, a distance of four thousand and eight and twenty-seven one-hundredths feet to an intersection with the existing Marine Base boundary line; thence south sixty degrees thirty-four minutes fifty-nine seconds east along the said Marine Base boundary line a distance of six hundred and seventy-seven and eighty-eight one-hundredths feet to an intersection with the southwesterly prolongation of the northwesterly line of Bean Street; thence south twenty-eight degrees fifty minutes ten seconds west along the southwesterly prolongation of the northwesterly line of Bean Street a distance of three thousand seven hundred and thirty and two one-hundredths feet to the point or place of beginning, containing sixty and sixteen-hundred-and-five ten-thousandths acres of bay area.

Approved, March 4, 1937.

[CHAPTER 28]

AN ACT

March 4, 1937
[S. 206]
[Public, No. 14]

To provide a preliminary examination and survey of the Snake River and tributaries in the States of Idaho, Washington, and Oregon, with a view to control of flood waters.

Snake River.
Survey of, and tributaries, directed for controlling floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of the Snake River and tributaries in the States of Idaho, Washington, and Oregon with a view to control of its floods, in accordance with the provisions of the Flood Control Act approved June 22, 1936, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

49 Stat. 1570.
33 U. S. C., Supp. II, §§ 701a–701f.

Approved, March 4, 1937.

[CHAPTER 29]

AN ACT

To authorize the purchase and distribution of products of the fishing industry.

March 5, 1937
[H. R. 4609]
[Public, No. 15]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $2,000,000 for the purpose of enabling the Federal Surplus Commodities Corporation to divert surplus fish (including shellfish) and the products thereof from the normal channels of trade and commerce by acquiring them and providing for their distribution through Federal, State, and private relief agencies. No commodities shall be acquired under this Act after ninety days after the date of its enactment: *Provided, however*, That distribution thereof may extend beyond said period. The provisions of law relating to the acquisition of materials or supplies for the United States shall not apply to the acquisition of commodities under this Act.

Fishing industry products.
Purchase and distribution of, authorized
Post, p. 61.

Time limitation on acquisition.
Proviso.
Extension on distribution permitted.

Approved, March 5, 1937.

[CHAPTER 32]

AN ACT

To extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oregon.

March 10, 1937
[H. R. 2503]
[Public, No. 16]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for completing the construction of a bridge across the Columbia River near The Dalles, Oregon, authorized to be built by The Dalles Bridge Company, a Washington corporation, by an Act of Congress approved March 4, 1933, heretofore extended by Act of Congress approved April 30, 1934, is hereby further extended three years from March 4, 1937.

Columbia River.
Time extended for bridging, at The Dalles, Oreg.
47 Stat. 1552; 48 Stat. 649.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 10, 1937.

[CHAPTER 33]

AN ACT

Granting the consent of Congress to the State of Alabama, or Etowah County, or both, to construct, maintain, and operate a free highway bridge across the Coosa River at or near Gilberts Ferry in Etowah County, Alabama.

March 10, 1937
[H. R. 3148]
[Public, No. 17]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Alabama, or Etowah County, or both, to construct, maintain, and operate a free highway bridge and approaches thereto across the Coosa River, at a point suitable to the interests of navigation, at or near Gilberts Ferry, in Etowah County, Alabama, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Coosa River.
Alabama, etc., may bridge, at Gilberts Ferry.

Construction.
34 Stat. 84.
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, March 10, 1937.

[CHAPTER 34]

AN ACT

March 10, 1937
[H. R. 3675]
[Public, No. 18]

To extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Lincolnton, Georgia.

Savannah River.
Time extended for bridging, at Lincolnton, Ga.
47 Stat. 903; 49 Stat. 1070.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Savannah River at or near Lincolnton, Georgia, authorized to be built by the State of Georgia by an Act of Congress approved February 24, 1933, heretofore extended by an Act of Congress approved August 30, 1935, are hereby further extended one and three years, respectively, from February 24, 1937.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 10, 1937.

[CHAPTER 35]

AN ACT

March 10, 1937
[H. R. 194]
[Public, No. 19]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebraska.

Missouri River.
Time extended for bridging, at Brownville, Nebr.
49 Stat. 1068, 1529.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Missouri River, at or near Brownville, Nebraska, authorized to be built by the county of Atchison, State of Missouri, and the county of Nemaha, State of Nebraska, singly or jointly, by section 18 of the Act of Congress approved August 30, 1935, heretofore extended by Act of Congress approved June 19, 1936, are hereby extended one and three years, respectively, from June 19, 1937.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 10, 1937.

[CHAPTER 36]

AN ACT

March 10, 1937
[H. R. 3689]
[Public, No. 20]

Declaring Turtle Bay and Turtle Bayou, Chambers County, Texas, to be nonnavigable waterways.

Turtle Bay and Turtle Bayou in Chambers County, Tex., declared nonnavigable.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Turtle Bay and Turtle Bayou, in Chambers County, in the State of Texas, be, and the same are hereby, declared to be nonnavigable waterways within the meaning of the Constitution and laws of the United States of America.

Turtle Bayou, Tex., improvement abandoned.
36 Stat. 650.

SEC. 2. That the existing project for Turtle Bayou, Texas, authorized by the Rivers and Harbors Act approved June 25, 1910, be, and the same is hereby, abandoned.

Amendment.

SEC. 3. That the right of Congress to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 10, 1937.

[CHAPTER 40]

JOINT RESOLUTION

Authorizing the Commissioner of Internal Revenue to grant further extensions of time for filing returns under title III of the Revenue Act of 1936.

March 13, 1937
[H. J. Res. 249]
[Pub. Res., No. 12]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Internal Revenue be, and he is hereby, authorized to grant additional reasonable extensions of time for filing returns under title III of the Revenue Act of 1936 for the calendar year 1935 and any fiscal year ending on or before August 31, 1936: *Provided*, That, except in the case of taxpayers who are abroad, no such extension shall be made beyond June 15, 1937.

Tax on unjust enrichment.
Extensions of time for filing returns.
49 Stat. 1734.
26 U. S. C., Supp. II, §§ 345-345e.
Proviso.
Limitation

Approved, March 13, 1937, 11 a. m.

[CHAPTER 41]

JOINT RESOLUTION

To aid in defraying the expenses of the International Labor Office incident to holding its Technical Tripartite Textile Conference.

March 15, 1937
[H. J. Res. 252]
[Pub. Res., No. 13]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 to aid in defraying the extraordinary expenses of the International Labor Office incident to holding its Technical Tripartite Textile Conference in Washington, District of Columbia, in April 1937: *Provided*, That $10,000 of this appropriation shall be available for contribution for such purposes to the International Labor Organization, and not to exceed $5,000 shall be available for expenditure by the Secretary of Labor for expenses incident to holding such conference in Washington, including personal services in the District of Columbia, communication services, stenographic and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), local transportation, stationery, supplies, repairs and alterations, and such other expenses as the Secretary of Labor may deem necessary.

Technical Tripartite Textile Conference.
Appropriation for aid to International Labor Office incident to expenses of.
Proviso.
Allocations.

Contracts without advertising.
R. S. § 3709.
41 U. S. C. § 5.

Approved, March 15, 1937.

[CHAPTER 43]

AN ACT

To regulate the sales of goods in the District of Columbia.

March 17, 1937
[S. 936]
[Public, No. 21]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after July 1, 1937, all sales of goods in the District of Columbia shall be made under and in accordance with the following provisions of law:

District of Columbia Uniform Sales Act.
Effective date.

PART I

FORMATION OF THE CONTRACT

Formation of the contract.

SECTION 1. CONTRACTS TO SELL AND SALES.—(1) A contract to sell goods is a contract whereby the seller agrees to transfer the property in goods to the buyer for a consideration called the "price."

Contracts to sell and sales.

(2) A sale of goods is an agreement whereby the seller transfers the property in goods to the buyer for a consideration called the "price."

Term defined.

(3) A contract to sell or a sale may be absolute or conditional.

Types.

Between one part owner and another.

(4) There may be a contract to sell or a sale between one part owner and another.

Capacity.

SEC. 2. CAPACITY—LIABILITIES FOR NECESSARIES.—Capacity to buy and sell is regulated by the general law concerning capacity to contract, and to transfer and acquire property.

Liability for necessaries.

Where necessaries are sold and delivered to an infant, or to a person who by reason of mental incapacity or drunkenness is incompetent to contract, he must pay a reasonable price therefor.

"Necessaries" defined.

"Necessaries" in this section means goods suitable to the condition in life of such infant or other person, and to his actual requirements at the time of delivery.

Formalities of the contract.

FORMALITIES OF THE CONTRACT

Form of contract or sale.

SEC. 3. FORM OF CONTRACT OR SALE.—Subject to the provisions of this Act and of any statute in that behalf, a contract to sell or a sale may be made in writing (either with or without seal), or by word of mouth, or partly in writing and partly by word of mouth or may be inferred from the conduct of the parties.

Statute of frauds.

SEC. 4. STATUTE OF FRAUDS.—(1) A contract to sell or a sale of any goods or choses in action of the value of $500 or upwards shall not be enforceable by action unless the buyer shall accept part of the goods or choses in action so contracted to be sold or sold, and actually receive the same, or give something in earnest to bind the contract, or in part payment, or unless some note or memorandum in writing of the contract or sale be signed by the party to be charged or his agent in that behalf.

Scope.

(2) The provisions of this section apply to every such contract or sale, notwithstanding that the goods may be intended to be delivered at some future time or may not at the time of such contract or sale be actually made, procured, or provided, or fit or ready for delivery, or some act may be requisite for the making or completing thereof, or rendering the same fit for delivery; but if the goods are to be manufactured by the seller especially for the buyer and are not suitable for sale to others in the ordinary course of the seller's business, the provisions of this section shall not apply.

Acceptance of goods.

(3) There is an acceptance of goods within the meaning of this section when the buyer, either before or after delivery of the goods, expresses by words or conduct his assent to becoming the owner of those specific goods.

Subject matter of contract.

SUBJECT MATTER OF CONTRACT

Existing and future goods.

SEC. 5. EXISTING AND FUTURE GOODS.—(1) The goods which form the subject of a contract to sell may be either existing goods, owned or possessed by the seller, or goods to be manufactured or acquired by the seller after the making of the contract to sell, in this Act called future goods.

(2) There may be a contract to sell goods, the acquisition of which by the seller depends upon a contingency which may or may not happen.

(3) Where the parties purport to effect a present sale of future goods, the agreement operates as a contract to sell the goods.

Undivided shares.

SEC. 6. UNDIVIDED SHARES.—(1) There may be a contract to sell or a sale of an undivided share of goods. If the parties intend to effect a present sale, the buyer, by force of the agreement, becomes an owner in common with the owner or owners of the remaining shares.

Fungible goods.

(2) In the case of fungible goods, there may be a sale of an undivided share of a specific mass, though the seller purports to sell

and the buyer to buy a definite number, weight, or measure of the goods in the mass, and though the number, weight, or measure of the goods in the mass is undetermined. By such a sale the buyer becomes owner in common of such a share of the mass as the number, weight, or measure bought bears to the number, weight, or measure of the mass. If the mass contains less than the number, weight, or measure bought, the buyer becomes the owner of the whole mass and the seller is bound to make good the deficiency from similar goods unless a contrary intent appears.

Destruction of goods sold.

SEC. 7. DESTRUCTION OF GOODS SOLD.—(1) Where the parties purport to sell specific goods, and the goods without the knowledge of the seller have wholly perished at the time when the agreement is made, the agreement is void.

(2) Where the parties purport to sell specific goods, and the goods without the knowledge of the seller have perished in part or have wholly or in a material part so deteriorated in quality as to be substantially changed in character, the buyer may at his option treat the sale—

(a) As avoided; or

(b) As transferring the property in all of the existing goods or in so much thereof as have not deteriorated, and as binding the buyer to pay the full agreed price if the sale was indivisible, or to pay the agreed price for the goods in which the property passes if the sale was divisable [1].

Destruction of goods contracted to be sold.

SEC. 8. DESTRUCTION OF GOODS CONTRACTED TO BE SOLD.—(1) Where there is a contract to sell specific goods, and subsequently, but before the risk passes to the buyer, without any fault on the part of the seller or the buyer, the goods wholly perish, the contract is thereby voided.

(2) Where there is a contract to sell specific goods, and subsequently, but before the risk passes to the buyer, without any fault of the seller or the buyer, part of the goods perish or the whole or a material part of the goods so deteriorate in quality as to be substantially changed in character, the buyer may at his option treat the contract—

(a) As avoided; or

(b) As binding the seller to transfer the property in all of the existing goods or in so much thereof as have not deteriorated, and as binding the buyer to pay the full agreed price if the contract was indivisible, or to pay the agreed price for so much of the goods as the seller, by the buyer's option, is bound to transfer if the contract was divisible.

THE PRICE

The price.

Definition and ascertainment.

SEC. 9. DEFINITION AND ASCERTAINMENT OF PRICE.—(1) The price may be fixed by the contract, or may be left to be fixed in such manner as may be agreed, or it may be determined by the course of dealing between the parties.

Payment in personal property.

(2) The price may be made payable in any personal property.

Transfer of interest in real estate.

(3) Where transferring or promising to transfer any interest in real estate constitutes the whole or part of the consideration for transferring or for promising to transfer the property in goods, this Act shall not apply.

If price is not determined.

(4) Where the price is not determined in accordance with the foregoing provisions, the buyer must pay a reasonable price. What is a reasonable price is a question of fact dependent on the circumstances of each particular case.

[1] So in original.

Sale at a valuation.

SEC. 10. SALE AT A VALUATION.—(1) Where there is a contract to sell or a sale of goods at a price or on terms to be fixed by a third person, and such third person without fault of the seller or the buyer cannot or does not fix the price or terms, the contract or the sale is thereby avoided; but if the goods or any part thereof have been delivered to and appropriated by the buyer he must pay a reasonable price therefor.

Where third person prevented from fixing price, etc.

(2) Where such third person is prevented from fixing the price or terms by fault of the seller or the buyer, the party not in fault may have such remedies against the party in fault as are allowed by parts IV and V of this Act.

Post, pp. 41, 44.

Conditions and warranties.

CONDITIONS AND WARRANTIES

Effect of.

SEC. 11. EFFECT OF CONDITIONS.—(1) Where the obligation of either party to a contract to sell or a sale is subject to any condition which is not performed, such party may refuse to proceed with the contract or sale or he may waive performance of the condition. If the other party has promised that the condition should happen or be performed, such first-mentioned party may also treat the nonperformance of the condition as a breach of warranty.

(2) Where the property in the goods has not passed, the buyer may treat the fulfillment by the sell [1] of his obligations to furnish goods as described and as warranted expressly or by implication in the contract to sell as a condition of the obligation of the buyer to perform his promise to accept and pay for the goods.

Express warranty defined.

SEC. 12. DEFINITION OF EXPRESS WARRANTY.—Any affirmation of fact or any promise by the seller relating to the goods is an express warranty if the natural tendency of such affirmation or promise is to induce the buyer to purchase the goods, and if the buyer purchases the goods relying thereon. No affirmation of the value of the goods, nor any statement purporting to be a statement of the seller's opinion only shall be construed as a warranty.

Implied warranties of title.

SEC. 13. IMPLIED WARRANTIES OF TITLE.—In a contract to sell or a sale, unless a contrary intention appears, there is—

(1) An implied warranty on the part of the seller that in case of a sale he has a right to sell the goods, and that in case of a contract to sell he will have a right to sell the goods at the time when the property is to pass;

(2) An implied warranty that the buyer shall have and enjoy quiet possession of the goods as against any lawful claims existing at the time of the sale;

(3) An implied warranty that the goods shall be free at the time of the sale from any charge or encumbrance in favor of any third person, not declared or known to the buyer before or at the time when the contract or sale is made.

(4) This section shall not, however, be held to render liable a sheriff, auctioneer, mortgagee, or other person professing to sell by virtue of authority in fact or law, goods in which a third person has a legal or equitable interest.

Implied warranty in sale by description.

SEC. 14. IMPLIED WARRANTY IN SALE BY DESCRIPTION.—Where there is a contract to sell or a sale of goods by description, there is an implied warranty that the goods shall correspond with the description and if the contract or sale be by sample, as well as by description, it is not sufficient that the bulk of the goods corresponds with the sample if the goods do not also correspond with the description.

Implied warranties of quality.

SEC. 15. IMPLIED WARRANTIES OF QUALITY.—Subject to the provisions of this act and of any statute in that behalf, there is no implied

[1] So in original.

warranty or condition as to the quality or fitness for any particular purpose of goods supplied under a contract to sell or a sale, except as follows:

(1) Where the buyer, expressly or by implication, makes known to the seller the particular purpose for which the goods are required, and it appears that the buyer relies on the seller's skill or judgment (whether he be the grower or manufacturer or not), there is an implied warranty that the goods shall be reasonably fit for such purpose.

(2) Where the goods are bought by description from a seller who deals in goods of that description (whether he be the grower or manufacturer or not), there is an implied warranty that the goods shall be merchantable quality.

(3) If the buyer has examined the goods, there is no implied warranty as regards defects which such examination ought to have revealed.

(4) In the case of a contract to sell or a sale of a specified article under its patent or other trade name, there is no implied warranty as to its fitness for any particular purpose.

(5) An implied warranty or condition as to the quality or fitness for a particular purpose may be annexed by the usage of trade.

(6) An express warranty or condition does not negative a warranty or condition implied under this Act unless inconsistent therewith.

SALE BY SAMPLE

Sale by sample.

Implied warranties.

SEC. 16. IMPLIED WARRANTIES IN SALE BY SAMPLE.—In the case of a contract to sell or a sale by sample—

(a) There is an implied warranty that the bulk shall correspond with the sample in quality.

(b) There is an implied warranty that the buyer shall have a reasonable opportunity of comparing the bulk with the sample, except so far as otherwise provided in section 47 (3).

(c) If the seller is a dealer in goods of that kind, there is an implied warranty that the goods shall be free from any defect rendering them unmerchantable which would not be apparent on reasonable examination of the sample.

PART II

Part II.

TRANSFER OF PROPERTY AS BETWEEN SELLER AND BUYER

Transfer of property as between seller and buyer.

No property passes until goods are ascertained.

SEC. 17. NO PROPERTY PASSES UNTIL GOODS ARE ASCERTAINED.—Where there is a contract to sell unascertained goods no property in the goods is transferred to the buyer unless and until the goods are ascertained, but property in an undivided share of ascertained goods may be transferred as provided in section 6.

Property in specific goods passes when parties so intend.

SEC. 18. PROPERTY IN SPECIFIC GOODS PASSES WHEN PARTIES SO INTEND.—(1) Where there is a contract to sell specific or ascertained goods, the property in them is transferred to the buyer at such time as the parties to the contract intend it to be transferred.

(2) For the purpose of ascertaining the intention of the parties, regard shall be had to the terms of the contract, the conduct of the parties, usages of trade, and the circumstances of the case.

Rules for ascertaining intention.

SEC. 19. RULES FOR ASCERTAINING INTENTION.—Unless a different intention appears, the following are rules for ascertaining the intention of the parties as to the time at which the property in the goods is to pass to the buyer:

Rule 1. Where there is an unconditional contract to sell specific goods, in a deliverable state, the property in the goods passes to the buyer when the contract is made and it is immaterial whether the time of payment, or the time of delivery, or both, be postponed.

Rule 2. Where there is a contract to sell specific goods and the seller is bound to do something to the goods, for the purpose of putting them into a deliverable state, the property does not pass until such thing is done.

Rule 3. (1) When goods are delivered to the buyer "on sale or return", or on other terms indicating an intention to make a present sale, but to give the buyer an option to return the goods instead of paying the price, the property passes to the buyer on delivery, but he may revest the property in the seller by returning or tendering the goods within the time fixed in the contract, or, if no time has been fixed, within a reasonable time.

(2) When goods are delivered to the buyer on approval or on trial or on satisfaction, or other similar terms, the property therein passes to the buyer—

(a) When he signifies his approval or acceptance to the seller or does any other act adopting the transaction;

(b) If he does not signify his approval or acceptance to the seller, but retains the goods without giving notice of rejection, then if a time has been fixed for the return of the goods, on the expiration of such time, and, if no time has been fixed, on the expiration of a reasonable time. What is a reasonable time is a question of fact.

Rule 4. (1) Where there is a contract to sell unascertained or future goods by description, and goods of that description and in a deliverable state are unconditionally appropriated to the contract, either by the seller with the assent of the buyer, or by the buyer with the assent of the seller, the property in the goods thereupon passes to the buyer. Such assent may be expressed or implied, and may be given either before or after the appropriation is made.

(2) Where, in pursuance of a contract to sell, the seller delivers the goods to the buyer, or to a carrier or other bailee (whether named by the buyer or not) for the purpose of transmission to or holding for the buyer, he is presumed to have unconditionally appropriated the goods to the contract, except in the cases provided for in the next rule and in section 20. This presumption is applicable, although by the terms of the contract, the buyer is to pay the price before receiving delivery of the goods, and the goods are marked with the words "collect on delivery" or their equivalents.

Rule 5. If the contract to sell requires the seller to deliver the goods to the buyer, or at a particular place, or to pay the freight or cost of transportation to the buyer, or to a particular place, the property does not pass until the goods have been delivered to the buyer or reached the place agreed upon.

Reservation of right of possession or property when goods are shipped.

SEC. 20. RESERVATION OF RIGHT OF POSSESSION OR PROPERTY WHEN GOODS ARE SHIPPED. (1) Where there is a contract to sell specific goods, or where goods are subsequently appropriated to the contract, the seller may, by the terms of the contract or appropriation, reserve the right of possession or property in the goods until certain conditions have been fulfilled. The right of possession or property may be thus reserved notwithstanding the delivery of the goods to the buyer or to a carrier or other bailee for the purpose of transmission to the buyer.

(2) Where goods are shipped, and by the bill of lading the goods are deliverable to the seller or his agent, or to the order of the seller or of his agent, the seller thereby reserves the property in the goods. But if, except for the form of the bill of lading, the property would have passed to the buyer on shipment of the goods, the seller's property in the goods shall be deemed to be only for the purpose of

securing performance by the buyer of his obligations under the contract.

(3) Where goods are shipped, and by the bill of lading the goods are deliverable to the order of the buyer or of his agent, but possession of the bill of lading is retained by the seller or his agent, the seller thereby reserves a right to the possession of the goods as against the buyer.

(4) Where the seller of goods draws on the buyer for the price and transmits the bill of exchange and bill of lading together to the buyer to secure acceptance or payment of the bill of exchange, the buyer is bound to return the bill of lading if he does not honor the bill of exchange, and if he wrongfully retains the bill of lading he acquires no added right thereby. If, however, the bill of lading provides that the goods are deliverable to the buyer or to the order of the buyer, or is endorsed in blank, or to the buyer by the consignee named therein, one who purchases in good faith, for value, the bill of lading, or goods from the buyer will obtain the property in the goods, although the bill of exchange has not been honored, provided that such purchaser has received delivery of the bill of lading endorsed by the consignee named therein, or of the goods, without notice of the facts, making the transfer wrongful.

Sale by auction.

SEC. 21. SALE BY AUCTION.—In the case of a sale by auction—

(1) Where goods are put up for sale by auction in lots, each lot is the subject of a separate contract of sale.

(2) A sale by auction is complete when the auctioneer announces its completion by the fall of the hammer, or in other customary manner. Until such announcement is made, any bidder may retract his bid; and the auctioneer may withdraw the goods from sale unless the auction has been announced to be without reserve.

(3) A right to bid may be reserved expressly by or on behalf of the seller.

(4) Where notice has not been given that a sale by auction is subject to a right to bid on behalf of the seller, it shall not be lawful for the seller to bid himself or to employ or induce any person to bid at such sale on his behalf, or for the auctioneer to employ or induce any person to bid at such sale on behalf of the seller or knowingly to take any bid from the seller or any person employed by him. Any sale contravening this rule may be treated as fraudulent by the buyer.

Risk of loss.

SEC. 22. RISK OF LOSS.—Unless otherwise agreed, the goods remain at the seller's risk until the property therein is transferred to the buyer, but when the property therein is transferred to the buyer the goods are at the buyer's risk whether delivery has been made or not, except that—

(a) Where delivery of the goods has been made to the buyer or to a bailee for the buyer, in pursuance of the contract and the property in the goods has been retained by the seller merely to secure performance by the buyer of his obligations under the contract, the goods are at the buyer's risk from the time of such delivery.

(b) Where delivery has been delayed through the fault of either the buyer or seller the goods are at the risk of the party in fault as regards any loss which might not have occurred but for such fault.

Transfer of title.

TRANSFER OF TITLE

Sale by other than owner.

SEC. 23. SALE BY A PERSON NOT THE OWNER.—(1) Subject to the provisions of this Act, where goods are sold by a person who is not the owner thereof, and who does not sell them under the authority or with the consent of the owner, the buyer acquires no better title

to the goods than the seller had, unless the owner of the goods is by his conduct precluded from denying the seller's authority to sell.

Provisions not affected.

(2) Nothing in this Act, however, shall affect—

(a) The provisions of any factors' acts, recording acts, or any enactment enabling the apparent owner of goods to dispose of them as if he were the true owner thereof.

(b) The validity of any contract to sell or sale under any special common law or statutory power of sale or under the order of a court of competent jurisdiction.

Sale by one having a voidable title.

SEC. 24. SALE BY ONE HAVING A VOIDABLE TITLE.—Where the seller of goods has a voidable title thereto, but his title has not been voided at the time of the sale, the buyer acquires a good title to the goods, provided he buys them in good faith, for value, and without notice of the seller's defect of title.

Sale by seller in possession of goods already sold.

SEC. 25. SALE BY SELLER IN POSSESSION OF GOODS ALREADY SOLD.—Where a person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods, the delivery or transfer by that person, or by an agent acting for him, of the goods or documents of title under any sale, pledge, or other disposition thereof, to any person receiving and paying value for the same in good faith and without notice of the previous sale, shall have the same effect as if the person making the delivery or transfer were expressly authorized by the owner of the goods to make the same.

Creditors' rights against sold goods in seller's possession.

SEC. 26. CREDITORS' RIGHTS AGAINST SOLD GOODS IN SELLER'S POSSESSION.—Where a person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods and such retention of possession is fraudulent in fact or is deemed fraudulent under any rule of law, a creditor or creditors of the seller may treat the sale as void.

Definition of negotiable documents of title

SEC. 27. DEFINITION OF NEGOTIABLE DOCUMENTS OF TITLE.—A document of title in which it is stated that the goods referred to therein will be delivered to the bearer, or to the order of any person named in such document is a negotiable document of title within the meaning of this Act.

Negotiation of negotiable documents by delivery.

SEC. 28. NEGOTIATION OF NEGOTIABLE DOCUMENTS BY DELIVERY.—A negotiable document of title may be negotiated by delivery—

(a) Where by the terms of the document the carrier, warehouseman, or other bailee issuing the same undertakes to deliver the goods to the bearer; or

(b) Where by the terms of the document the carrier, warehouseman, or other bailee issuing the same, undertakes to deliver the goods to the order of a specified person, and such person or a subsequent endorsee of the document has endorsed it in blank or to the bearer.

Where by the terms of a negotiable document of title the goods are deliverable to bearer or where a negotiable document of title has been endorsed in blank or to bearer, any holder may endorse the same to himself or to any specified person, and in such case the document shall thereafter be negotiated only by the endorsement of such endorsee.

By endorsement.

SEC. 29. NEGOTIATION OF NEGOTIABLE DOCUMENTS BY ENDORSEMENT.—A negotiable document of title may be negotiated by the endorsement of the person to whose offer [1] the goods are by the terms of the document deliverable. Such endorsement may be in blank, to bearer, or to a specified person. If endorsed to a specified person, it may be again negotiated by the endorsement of such person in blank, to bearer, or to another specified person. Subsequent negotiations may be made in like manner.

[1] So in original.

Negotiable documents of title marked "Not negotiable."

SEC. 30. NEGOTIABLE DOCUMENTS OF TITLE MARKED "NOT NEGOTIABLE".—If a document of title which contains an undertaking by a carrier, warehouseman, or other bailee to deliver the goods to the bearer, to a specified person or order, or to the order of a specified person, or which contains words of like import, has placed upon it the words "not negotiable", "nonnegotiable", or the like, such a document may nevertheless be negotiated by the holder and is a negotiable document of title within the meaning of this Act. But nothing in this Act contained shall be construed as limiting or defining the effect upon the obligations of the carrier, warehouseman, or other bailee issuing a document of title or placing thereon the words "not negotiable", "nonnegotiable", or the like.

Transfer of nonnegotiable documents.

SEC. 31. TRANSFER OF NONNEGOTIABLE DOCUMENTS.—A document of title which is not in such form that it can be negotiated by delivery may be transferred by the holder by delivery to a purchaser or donee. A nonnegotiable document cannot be negotiated and the endorsement of such a document gives the transferee no additional right.

Who may negotiate a document

SEC. 32. WHO MAY NEGOTIATE A DOCUMENT.—A negotiable document may be negotiated by any person in possession of the same, however such possession may have been acquired if, by the terms of the document, the bailee issuing it undertakes to deliver the goods to the order of such person, or if at the time of negotiation the document is in such form that it may be negotiated by delivery.

Rights of person to whom document has been negotiated.

SEC. 33. RIGHTS OF PERSON TO WHOM DOCUMENT HAS BEEN NEGOTIATED.—A person to whom a negotiable document of title has been duly negotiated acquires thereby—

(a) Such title to the goods as the person negotiating the document to him had or had ability to convey to a purchaser in good faith for value and also such title to the goods as the person to whose order the goods were to be delivered by the terms of the document had or had ability to convey to a purchaser in good faith for value; and

(b) The direct obligation of the bailee issuing the document to hold possession of the goods for him according to the terms of the document as fully as if such bailee had contracted directly with him.

Rights of person to whom document has been transferred.

SEC. 34. RIGHTS OF PERSON TO WHOM DOCUMENT HAS BEEN TRANSFERRED.—A person to whom a document of title has been transferred, but not negotiated, acquires thereby, as against the transferor, the title to the goods, subject to the terms of any agreement with the transferor.

If the document is nonnegotiable, such person also acquires the right to notify the bailee who issued the document of the transfer thereof, and thereby to acquire the direct obligation of such bailee to hold possession of the goods for him according to the terms of the document.

Prior to the notification of such bailee by the transferor or transferee of a nonnegotiable document of title, the title of the transferee to the goods and the right to acquire the obligation of such bailee may be defeated by the levy of an attachment or execution upon the goods by a creditor of the transferor, or by a notification to such bailee by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

Transfer of negotiable document without endorsement.

SEC. 35. TRANSFER OF NEGOTIABLE DOCUMENT WITHOUT ENDORSEMENT.—Where a negotiable document of title is transferred for value by delivery, and the endorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to endorse the document unless a contrary intention appears. The negotiation shall take effect as of the time when the endorsement is actually made.

Warranties on sale of document.

SEC. 36. WARRANTIES ON SALE OF DOCUMENT.—A person who for value negotiates or transfers a document of title by endorsement or delivery, including one who assigns for value a claim secured by a document of title unless a contrary intention appears, warrants:

(a) That the document is genuine;

(b) That he has a legal right to negotiate or transfer it;

(c) That he has knowledge of no fact which would impair the validity or worth of the document; and

(d) That he has a right to transfer the title to the goods and that the goods are merchantable or fit for a particular purpose, whenever such warranties would have been implied if the contract of the parties had been to transfer without a document of title the goods represented thereby.

Endorser not a guarantor.

SEC. 37. ENDORSER NOT A GUARANTOR.—The endorsement of a document of title shall not make the endorser liable for any failure on the part of the bailee who issued the document or previous endorsers thereof to fulfill their respective obligations.

When negotiation not impaired by fraud, etc.

SEC. 38. WHEN NEGOTIATION NOT IMPAIRED BY FRAUD, MISTAKE, OR DURESS.—The validity of the negotiation of a negotiable document of title is not impaired by the fact that the negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the document was deprived of the possession of the same by loss, theft, fraud, accident, mistake, duress, or conversion, if the person to whom the document was negotiated or a person to whom the document was subsequently negotiated paid value therefor in good faith without notice of the breach of duty, or loss, theft, fraud, accident, mistake, duress, or conversion.

Attachment or levy upon goods for which a negotiable document has been issued.

SEC. 39. ATTACHMENT OR LEVY UPON GOODS FOR WHICH A NEGOTIABLE DOCUMENT HAS BEEN ISSUED.—If goods are delivered to a bailee by the owner or by a person whose act in conveying the title to them to a purchaser in good faith for value would bind the owner and a negotiable document of title is issued for them, they cannot thereafter, while in the possession of such bailee, be attached by garnishment or otherwise or be levied under an execution unless the document be first surrendered to the bailee or its negotiation enjoined. The bailee shall in no case be compelled to deliver up the actual possession of the goods until the document is surrendered to him or impounded by the court.

Creditors' remedies to reach negotiable documents.

SEC. 40. CREDITORS' REMEDIES TO REACH NEGOTIABLE DOCUMENTS.—A creditor whose debtor is the owner of a negotiable document of title shall be entitled to such aid from courts of appropriate jurisdiction by injunction and otherwise in attaching such document or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which cannot readily be attached or levied upon by ordinary legal process.

Part III.

PART III

PERFORMANCE OF THE CONTRACT

Performance of the contract.

Seller must deliver and buyer accept goods.

SEC. 41. SELLER MUST DELIVER AND BUYER ACCEPT GOODS.—It is the duty of the seller to deliver the goods, and of the buyer to accept and pay for them, in accordance with the terms of the contract to sell or sale.

Delivery and payment are concurrent conditions.

SEC. 42. DELIVERY AND PAYMENT ARE CONCURRENT CONDITIONS.—Unless otherwise agreed, delivery of the goods and payment of the price are concurrent conditions; that is to say, the seller must be ready and willing to give possession of the goods to the buyer in exchange for the price and the buyer must be ready and willing to pay the price in exchange for possession of the goods.

SEC. 43. PLACE, TIME, AND MANNER OF DELIVERY.—(1) Whether it is for the buyer to take possession of the goods or for the seller to send them to the buyer is a question depending in each case on the contract, express or implied, between the parties. Apart from any such contract, express or implied, or usage of trade to the contrary, the place of delivery is the seller's place of business if he have one, and if not his residence; but in case of a contract to sell or a sale of specific goods, which to the knowledge of the parties when the contract or the sale was made were in some other place, then that place is the place of delivery. Place, time, and manner of delivery.

(2) Where by a contract to sell or a sale the seller is bound to send the goods to the buyer, but no time for sending them is fixed, the seller is bound to send them within a reasonable time.

(3) Where the goods at the time of sale are in the possession of a third person, the seller has not fulfilled his obligation to deliver to the buyer unless and until such third person acknowledges to the buyer that he holds the goods on the buyer's behalf; but as against all others than the seller the buyer shall be regarded as having received delivery from the time when such third person first has notice of the sale. Nothing in this section, however, shall affect the operation of the issue or transfer of any document of title to goods.

(4) Demand or tender of delivery may be treated as ineffectual unless made at a reasonable hour. What is a reasonable hour is a question of fact.

(5) Unless otherwise agreed, the expenses of and incidental to putting the goods into a deliverable state must be borne by the seller.

SEC. 44. DELIVERY OF WRONG QUANTITY.—(1) Where the seller delivers to the buyer a quantity of goods less than he contracted to sell, the buyer may reject them, but if the buyer accepts or retains the goods so delivered, knowing that the seller is not going to perform the contract in full, he must pay for them at the contract rate. If, however, the buyer has used or disposed of the goods delivered before he knows that the seller is not going to perform his contract in full, the buyer shall not be liable for more than the fair value to him of the goods so received. Delivery of wrong quantity.

(2) Where the seller delivers to the buyer a quantity of goods larger than he contracted to sell, the buyer may accept the goods included in the contract and reject the rest, or he may reject the whole. If the buyer accepts the whole of the goods so delivered he must pay for them at the contract rate.

(3) Where the seller delivers to the buyer the goods he contracted to sell mixed with goods of a different description not included in the contract, the buyer may accept the goods which are in accordance with the contract and reject the rest, or he may reject the whole.

(4) The provisions of this section are subject to any usage of trade, special agreement, or course of dealing between the parties.

SEC. 45. DELIVERY IN INSTALLMENTS.—(1) Unless otherwise agreed, the buyer of goods is not bound to accept delivery thereof by installments. Delivery in installments.

(2) Where there is a contract to sell goods to be delivered by stated installments, which are to be separately paid for, and the seller makes defective deliveries in respect of one or more installments, or the buyer neglects or refuses to make delivery of or pay for one or more installments, it depends in each case on the terms of the contract and the circumstances of the case, whether the breach of contract is so material as to justify the injured party in refusing to proceed further and suing for damages for breach of the entire

contract, or whether the breach is severable, giving rise to a claim for compensation but not to a right to treat the whole contract as broken.

Delivery to a carrier on behalf of the buyer.

SEC. 46. DELIVERY TO A CARRIER ON BEHALF OF THE BUYER.—(1) Where, in pursuance of a contract to sell or a sale, the seller is authorized or required to send the goods to the buyer, delivery of the goods to a carrier, whether named by the buyer or not, for the purpose of transmission to the buyer is deemed to be a delivery of the goods to the buyer, except in the cases provided for in section 19, rule 5, or unless a contrary intent appears.

(2) Unless otherwise authorized by the buyer, the seller must make such contract with the carrier on behalf of the buyer as may be reasonable, having regard to the nature of the goods and the other circumstances of the case. If the seller omit so to do, and the goods are lost or damaged in course of transit, the buyer may decline to treat the delivery to the carrier as a delivery to himself, or may hold the seller responsible in damages.

(3) Unless otherwise agreed, where goods are sent by the seller to the buyer under circumstances in which the seller knows or ought to know that it is usual to insure, the seller must give such notice to the buyer as may enable him to insure them during their transit, and, if the seller fails to do so, the goods shall be deemed to be at his risk during such transit.

Right to examine the goods.

SEC. 47. RIGHT TO EXAMINE THE GOODS.—(1) Where goods are delivered to the buyer which he has not previously examined, he is not deemed to have accepted them unless and until he has had a reasonable opportunity of examining them for the purpose of ascertaining whether they are in conformity with the contract.

(2) Unless otherwise agreed, when the seller tenders delivery of goods to the buyer, he is bound, on request, to afford the buyer a reasonable opportunity of examining the goods for the purpose of ascertaining whether they are in conformity with the contract.

(3) Where goods are delivered to a carrier by the seller, in accordance with an order from or agreement with the buyer, upon the terms that the goods shall not be delivered by the carrier to the buyer until he has paid the price, whether such terms are indicated by marking the goods with the words "collect on delivery", or otherwise, the buyer is not entitled to examine the goods before payment of the price in the absence of agreement permitting such examination.

What constitutes acceptance.

SEC. 48. WHAT CONSTITUTES ACCEPTANCE.—The buyer is deemed to have accepted the goods when he intimates to the seller that he has accepted them, or when the goods have been delivered to him, and he does any act in relation to them which is inconsistent with the ownership of the seller, or when, after the lapse of a reasonable time, he retains the goods without intimating to the seller that he has rejected them.

Acceptance does not bar action for damages.

SEC. 49. ACCEPTANCE DOES NOT BAR ACTION FOR DAMAGES.—In the absence of express or implied agreement of the parties, acceptance of the goods by the buyer shall not discharge the seller from liability in damages or other legal remedy for breach of any promise or warranty in the contract to sell or the sale. But, if, after acceptance of the goods, the buyer fail to give notice to the seller of the breach of any promise or warranty within a reasonable time after the buyer knows, or ought to know of such breach, the seller shall not be liable therefor.

Buyer is not bound to return goods wrongly delivered.

SEC. 50. BUYER IS NOT BOUND TO RETURN GOODS WRONGLY DELIVERED.—Unless otherwise agreed, where goods are delivered to the buyer, and he refused to accept them, having the right so to do, he

is not bound to return them to the seller, but it is sufficient if he notifies the seller that he refuses to accept them.

Buyer's liability for failing to accept delivery.

SEC. 51. BUYER'S LIABILITY FOR FAILING TO ACCEPT DELIVERY.—When the seller is ready and willing to deliver the goods, and requests the buyer to take delivery, and the buyer does not within a reasonable time after such request take delivery of the goods, he is liable to the seller for any loss occasioned by his neglect or refusal to take delivery, and also for a reasonable charge for the care and custody of the goods. If the neglect or refusal of the buyer to take delivery amounts to a repudiation or breach of the entire contract, the seller shall have the right against the goods and on the contract hereinafter provided in favor of the seller when the buyer is in default.

Part IV.

PART IV

Rights of unpaid seller against the goods.

RIGHTS OF UNPAID SELLER AGAINST THE GOODS

Definition of unpaid seller.

SEC. 52. DEFINITION OF UNPAID SELLER.—(1) The seller of goods is deemed to be an unpaid seller within the meaning of this Act—

(a) When the whole of the price has not been paid or tendered.

(b) When a bill of exchange or other negotiable instrument has been received as conditional payment, and the condition on which it was received has been broken by reason of the dishonor of the instrument, the insolvency of the buyer, or otherwise.

(2) In this part of this Act the term "seller" includes an agent of the seller to whom the bill of lading has been endorsed, or a consignor or agent who has himself paid, or is directly responsible for, the price, or any other person who is in the position of a seller.

Remedies.

SEC. 53. REMEDIES OF AN UNPAID SELLER.—(1) Subject to the provisions of this Act, notwithstanding that the property in the goods may have passed to the buyer, the unpaid seller of goods, as such has—

(a) A lien on the goods or right to retain them for the price while he is in possession of them;

(b) In case of insolvency of the buyer, the right of stopping the goods in transitu after he has parted with the possession of them;

(c) A right of resale as limited by this Act; and

(d) A right to rescind the sale as limited by this Act.

(2) Where the property in goods has not passed to the buyer, the unpaid seller has, in addition to his other remedies, a right of withholding delivery similar to and coextensive with his rights of lien and stoppage in transitu where the property has passed to the buyer.

Unpaid seller's lien.

UNPAID SELLER'S LIEN

When right of lien may be exercised.

SEC. 54. WHEN RIGHT OF LIEN MAY BE EXERCISED.—(1) Subject to the provisions of this Act, the unpaid seller of goods who is in possession of them is entitled to retain possession of them until payment or tender of the price in the following cases, namely—

(a) Where the goods have been sold without any stipulation as to credit;

(b) Where the goods have been sold on credit, but the term of credit has expired; and

(c) Where the buyer becomes insolvent.

(2) The seller may exercise his right of lien, notwithstanding that he is in possession of the goods as agent or bailee for the buyer.

Lien after part delivery.

SEC. 55. LIEN AFTER PART DELIVERY.—Where an unpaid seller has made part delivery of the goods, he may exercise his right of lien on the remainder, unless such part delivery has been made under such

circumstances as to show an intent to waive the lien or right of retention.

When lien is lost.

SEC. 56. WHEN LIEN IS LOST.—(1) The unpaid seller of goods loses his lien thereon—

(a) When he delivers the goods to a carrier or other bailee for the purpose of transmission to the buyer without reserving the property in the goods or the right to the possession thereof;

(b) When the buyer or his agent lawfully obtains possession of the goods; and

(c) By waiver thereof.

(2) The unpaid seller of goods, having a lien thereon, does not lose his lien by reason only that he has obtained judgment or decree for the price of the goods.

Stoppage in transit.

STOPPAGE IN TRANSIT

Seller may stop goods on buyer's insolvency.

SEC. 57. SELLER MAY STOP GOODS ON BUYER'S INSOLVENCY.—Subject to the provisions of this Act, when the buyer of goods is or becomes insolvent, the unpaid seller who has parted with the possession of the goods has the right of stopping them in transitu; that is to say, he may resume possession of the goods at any time while they are in transit, and he will then become entitled to the same rights in regard to the goods as he would have had if he had never parted with the possession.

When goods are in transit.

SEC. 58. WHEN GOODS ARE IN TRANSIT.—(1) Goods are in transit within the meaning of section 57—

(a) From the time when they are delivered to a carrier by land or water, or other bailee for the purpose of transmission to the buyer, until the buyer, or his agent in that behalf, takes delivery of them from such carrier or other bailee; and

(b) If the goods are rejected by the buyer, and the carrier or other bailee continues in possession of them, even if the seller has refused to receive them back.

When no longer in transit.

(2) Goods are no longer in transit within the meaning of section 57—

(a) If the buyer, or his agent in that behalf, obtains delivery of the goods before their arrival at the appointed destination;

(b) If, after the arrival of the goods at the appointed destination, the carrier or other bailee acknowledges to the buyer or his agent that he holds the goods on his behalf and continues in possession of them as bailee for the buyer or his agent; and it is immaterial that a further destination for the goods may have been indicated by the buyer; and

(c) If the carrier or other bailee wrongfully refuses to deliver the goods to the buyer or his agent in that behalf.

Delivery to chartered ship.

(3) If goods are delivered to a ship chartered by the buyer, it is a question depending on the circumstances of the particular case, whether they are in the possession of the master as a carrier or as agent of the buyer.

Part delivery.

(4) If part delivery of the goods has been made to the buyer, or his agent in that behalf, the remainder of the goods may be stopped in transitu, unless such part delivery has been made under such circumstances as to show an agreement with the buyer to give up possession of the whole of the goods.

Ways of exercising right to stop.

SEC. 59. WAYS OF EXERCISING THE RIGHT TO STOP.—(1) The unpaid seller may exercise his right of stoppage in transitu either by obtaining actual possession of the goods or by giving notice of his claim to the carrier or other bailee in whose possession the goods are. Such notice may be given either to the person in actual possession of the

goods or to his principal. In the latter case the notice, to be effectual, must be given at such time and under such circumstances that the principal, by the exercise of reasonable diligence, may prevent a delivery to the buyer.

(2) When notice of stoppage in transitu is given by the seller to the carrier, or other bailee in possession of the goods, he must redeliver the goods to, or according to the directions of, the seller. The expenses of such delivery must be borne by the seller. If, however, a negotiable document of title representing the goods has been issued by the carrier or other bailee, he shall not be obliged to deliver or justified in delivering the goods to the seller unless such document is first surrendered for cancelation.

RESALE BY THE SELLER

Resale by seller.

When and how resale may be made.

SEC. 60. WHEN AND HOW RESALE MAY BE MADE.—(1) Where the goods are of perishable nature, or where the seller expressly reserves the right of resale in case the buyer should make default, or where the buyer has been in default in the payment of the price an unreasonable time, an unpaid seller having a right of lien or having stopped the goods in transitu may resell the goods. He shall not thereafter be liable to the original buyer upon the contract to sell or the sale or for any profit made by such resale, but may recover from the buyer damages for any loss occasioned by the breach of the contract or the sale.

(2) Where a resale is made, as authorized in this section, the buyer acquires a good title as against the original buyer.

(3) It is not essential to the validity of a resale that notice of an intention to resell the goods be given by the seller to the original buyer. But where the right to resell is not based on the perishable nature of the goods or upon an express provision of the contract or the sale, the giving or failure to give such notice shall be relevant in any issue involving the question whether the buyer had been in default an unreasonable time before the resale was made.

(4) It is not essential to the validity of a resale that notice of the time and place of such resale should be given by the seller to the original buyer.

(5) The seller is bound to exercise reasonable care and judgment in making a resale, and subject to this requirement may make a resale either by public or private sale.

RESCISSION BY THE SELLER

Rescission by seller.

When and how seller may rescind the sale.

SEC. 61. WHEN AND HOW THE SELLER MAY RESCIND THE SALE.—(1) An unpaid seller having the right of lien or having stopped the goods in transitu, may rescind the transfer of title and resume the property in the goods, where he expressly reserved the right to do so in case the buyer should make default, or where the buyer has been in default in the payment of the price an unreasonable time. The seller shall not thereafter be liable to the buyer upon the contract to sell or the sale, but may recover from the buyer damages for any loss occasioned by the breach of the contract or the sale.

Notice, etc., of intention to rescind.

(2) The transfer of title shall not be held to have been rescinded by an unpaid seller until he has manifested by notice to the buyer or by some other overt act an intention to rescind. It is not necessary that such overt act should be communicated to the buyer, but the giving or failure to give notice to the buyer of the intention to rescind shall be relevant in any issue involving the question whether the buyer had been in default an unreasonable time before the right of rescission was asserted.

Effect of sale of goods subject to lien or stoppage in transitu.

SEC. 62. EFFECT OF SALE OF GOODS SUBJECT TO LIEN OR STOPPAGE IN TRANSITU.—Subject to the provisions of this Act, the unpaid seller's right of lien or stoppage in transitu is not affected by any sale, or other disposition of the goods which the buyer may have made, unless the seller has assented thereto.

If, however, a negotiable document of title has been issued for goods, no seller's lien or right of stoppage in transitu shall defeat the right of any purchaser for value in good faith to whom such document has been negotiated, whether such negotiations be prior or subsequent to the notification to the carrier, or other bailee who issued such document, of the seller's claim to a lien or right of stoppage in transitu.

Part V.

PART V

Action for breach of the contract; remedies of the seller.

ACTION FOR BREACH OF THE CONTRACT; REMEDIES OF THE SELLER

Action for the price.

SEC. 63. ACTION FOR THE PRICE.—(1) Where, under a contract to sell or a sale, the property in the goods has passed to the buyer, and the buyer wrongfully neglects or refuses to pay for the goods according to the terms of the contract or the sale, the seller may maintain an action against him for the price of the goods.

(2) Where, under a contract to sell or a sale, the price is payable on a day certain, irrespective of delivery or of transfer of title, and the buyer wrongfully neglects or refuses to pay such price, the seller may maintain an action for the price, although the property in the goods has not passed, and the goods have not been appropriated to the contract. But it shall be a defense to such an action that the seller at any time before judgment in such action has manifested an inability to perform the contract or the sale on his part or an intention not to perform it.

(3) Although the property in the goods has not passed, if they cannot readily be resold for a reasonable price, and if the provisions of section 64 (4) are not applicable, the seller may offer to deliver the goods to the buyer, and, if the buyer refuses to receive them, may notify the buyer that the goods are thereafter held by the seller as bailee for the buyer. Thereafter the seller may treat the goods as the buyer's and may maintain an action for the price.

Action for damages for nonacceptance of the goods.

SEC. 64. ACTION FOR DAMAGES FOR NONACCEPTANCE OF THE GOODS.—(1) Where the buyer wrongfully neglects or refuses to accept and pay for the goods, the seller may maintain an action against him for damages for nonacceptance.

(2) The measure of damages is the estimated loss directly and naturally resulting, in the ordinary course of events, from the buyer's breach of contract.

(3) Where there is an available market for the goods in question, the measure of damages is, in the absence of special circumstances, showing proximate damage of a greater amount, the difference between the contract price and the market or current price at the time or times when the goods ought to have been accepted, or, if no time was fixed for acceptance, then at the time of the refusal to accept.

(4) If, while labor or expense of material amount are necessary on the part of the seller to enable him to fulfill his obligations under the contract to sell or the sale, the buyer repudiates the contract or the sale, or notifies the seller to proceed no further therewith, the buyer shall be liable to the seller for no greater damages than the seller would have suffered if he did nothing toward carrying out the contract or the sale after receiving notice of the buyer's repudiation or countermand. The profit the seller would have made if the contract or the sale had been fully performed shall be considered in estimating such damages.

When seller may rescind contract or sale.

SEC. 65. WHEN SELLER MAY RESCIND CONTRACT OR SALE.—Where the goods have not been delivered to the buyer, and the buyer has repudiated the contract to sell or sale, or has manifested his inability to perform his obligations thereunder, or has committed a material breach thereof, the seller may totally rescind the contract or the sale by giving notice of his election so to do to the buyer.

Remedies of the buyer

REMEDIES OF THE BUYER

Action for converting or detaining goods.

SEC. 66. ACTION FOR CONVERTING OR DETAINING GOODS.—Where the property in the goods has passed to the buyer and the seller wrongfully neglects or refuses to deliver the goods, the buyer may maintain any action allowed by law to the owner of goods of similar kind when wrongfully converted or withheld.

Action for failing to deliver goods.

SEC. 67. ACTION FOR FAILING TO DELIVER GOODS.—(1) Where the property in the goods has not passed to the buyer, and the seller wrongfully neglects or refuses to deliver the goods, the buyer may maintain an action against the seller for damages for nondelivery.

(2) The measure of damages is the loss directly and naturally resulting in the ordinary course of events, from the seller's breach of contract.

(3) Where there is an available market for the goods in question, the measure of damages, in the absence of special circumstances showing proximate damages of a greater amount, is the difference between the contract price and the market or current price of the goods at the time or times when they ought to have been delivered or if no time was fixed, then at the time of the refusal to deliver.

Specific performance.

SEC. 68. SPECIFIC PERFORMANCE.—Where the seller has broken a contract to deliver specific or ascertained goods, a court having the powers of a court of equity may, if it thinks fit, on the application of the buyer, by its judgment or decree direct that the contract shall be performed specifically, without giving the seller the option of retaining the goods on payment of damages. The judgment or decree may be unconditional or upon such terms and conditions as to damages, payment of the price, and otherwise, as to the court may seem just.

Remedies for breach of warranty.

SEC. 69. REMEDIES FOR BREACH OF WARRANTY.—(1) Where there is a breach of warranty by the seller, the buyer may, at his election—

(a) Accept or keep the goods and set up against the seller the breach of warranty by way of recoupment in diminution or extinction of the price;

(b) Accept or keep the goods and maintain an action against the seller for damages for the breach of warranty;

(c) Refuse to accept the goods, if the property therein has not passed, and maintain an action against the seller for damages for the breach of warranty; and

(d) Rescind the contract to sell, or the sale, and refuse to receive the goods; or if the goods have already been received return them or offer to return them to the seller and recover the price or any part thereof which has been paid.

(2) When the buyer has claimed and has been granted a remedy in any one of these ways, no other remedy can thereafter be granted.

(3) Where the goods have been delivered to the buyer, he cannot rescind the sale if he knew of the breach of warranty when he accepted the goods, or if he fails to notify the seller within a reasonable time of the election to rescind, or if he fails to return or to offer to return the goods to the seller in substantially as good condition as they were in at the time the property was transferred to the buyer. But if deterioration or injury of the goods is due to the breach of

warranty, such deterioration or injury shall not prevent the buyer from returning or offering to return the goods to the seller and rescinding the sale.

(4) Where the buyer is entitled to rescind the sale and elects to do so, the buyer shall cease to be liable for the price upon returning or offering to return the goods. If the price or any part thereof has already been paid, the seller shall be liable to repay so much thereof as has been paid, concurrently with the return of the goods, or immediately after an offer to return the goods in exchange for repayment of the price.

(5) Where the buyer is entitled to rescind the sale and elects to do so, if the seller refuses to accept an offer of the buyer to return the goods, the buyer shall thereafter be deemed to hold the goods as bailee for the seller, but subject to a lien to secure the repayment of any portion of the price which has been paid, and with the remedies for the enforcement of such lien allowed to an unpaid seller by section 53.

Ante, p. 41.

(6) The measure of damages for breach of warranty is the loss directly and naturally resulting, in the ordinary course of events, from the breach of warranty.

(7) In the case of breach of warranty of quality, such loss, in the absence of special circumstances showing proximate damage of a greater amount, is the difference between the value of the goods at the time of delivery to the buyer and the value they would have had if they had answered to the warranty.

Interest and special damages.

SEC. 70. INTEREST AND SPECIAL DAMAGES.—Nothing in this Act shall affect the right of the buyer or the seller to recover interest or special damages in any case where by law interest or special damages may be recoverable, or to recover money paid where the consideration for the payment of it has failed.

Part VI.

PART VI

Interpretation.

INTERPRETATION

Variation of implied obligations.

SEC. 71. VARIATION OF IMPLIED OBLIGATIONS.—Where any right, duty, or liability would arise under a contract to sell or a sale by implication of law, it may be negatived or varied by express agreement or by the course of dealing between the parties, or by custom, if the custom be such as to bind both parties to the contract or the sale.

Rights may be enforced by action.

SEC. 72. RIGHTS MAY BE ENFORCED BY ACTION.—Where any right, duty, or liability is declared by this Act, it may, unless otherwise by this Act provided, be enforced by action.

Rule for cases not herein provided for.

SEC. 73. RULE FOR CASES NOT PROVIDED FOR BY THIS ACT.—In any case not provided for in this Act, the rules of law and equity, including the law merchant, and in particular the rules relating to the law of principal and agent and to the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy, or other invalidating cause, shall continue to apply to contracts to sell and to sales of goods.

Interpretation, effect.

SEC. 74. INTERPRETATION SHALL GIVE EFFECT TO PURPOSE OF UNIFORMITY.—This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those States which enact it.

Provisions not applicable to mortgages.

SEC. 75. PROVISIONS NOT APPLICABLE TO MORTGAGES.—The provisions of this Act relating to contracts to sell and to sales do not apply, unless so stated, to any transaction in the form of a contract to sell or a sale which is intended to operate by way of mortgage, pledge, charge, or other security.

Definitions.

SEC. 76. DEFINITIONS.—(1) In this Act, unless the context or subject matter otherwise requires—

"Action" includes counterclaim, set-off, and suit in equity.

"Buyer" means a person who buys or agrees to buy goods or any legal successor in interest of such person.

"Defendant" includes a plaintiff against whom a right of set-off or counterclaim is asserted.

"Delivery" means voluntary transfer of possession from one person to another.

"Divisible contract to sell or sale" means a contract to sell or a sale in which by its term the price for a portion or portions of the goods less than the whole is fixed or ascertainable by computation.

"Document of title to goods" includes any bill of lading, dock warrant, warehouse receipt or order for the delivery of goods, or any other document used in the ordinary course of business in the sale or transfer of goods, as proof of the possession or control of the goods, or authorizing or purporting to authorize the possessor of the document to transfer or receive, either by endorsement or by delivery, goods represented by such document.

"Fault" means wrongful act or default.

"Fungible goods" means goods of which any unit is from its nature or by mercantile usage treated as the equivalent of any other unit.

"Future goods" means goods to be manufactured or acquired by the seller after the making of the contract of sale.

"Goods" include all chattels personal other than things in action and money. The term includes emblements, industrial growing crops, and things attached to or forming part of the land which are agreed to be severed before sale or under the contract of sale.

"Order" in sections of this Act relating to documents of title means an order by endorsement on the documents.

"Person" includes a corporation or partnership or two or more persons having a joint or common interest.

"Plaintiff" includes defendant asserting a right of set-off or counterclaim.

"Property" means the general property in goods, and not merely a special property.

"Purchaser" includes mortgagee and pledgee.

"Purchases" includes taking as a mortgagee or as a pledgee.

"Quality of goods" includes their state or condition.

"Sale" includes a bargain and sale as well as a sale and delivery.

"Seller" means a person who sells or agrees to sell goods, or any legal successor in the interest of such person.

"Specific goods" means goods identified and agreed upon at the time a contract to sell or a sale is made.

"Value" is any consideration sufficient to support a simple contract. An antecedent or preexisting claim, whether for money or not, constitutes value where goods or documents of titles are taken either in satisfaction thereof or as security therefor.

(2) A thing is done "in good faith" within the meaning of this Act when it is in fact done honestly, whether it be done negligently or not.

(3) A person is insolvent within the meaning of this Act who either has ceased to pay his debts in the ordinary course of business or cannot pay his debts as they become due, whether he has committed an act of bankruptcy or not, and whether he is insolvent within the meaning of the Federal bankruptcy law or not.

(4) Goods are in a "deliverable state" within the meaning of this Act when they are in such a state that the buyer would, under the contract, be bound to take delivery of them.

Act not applicable to existing sales or contracts to sell.

SEC. 76a. ACT DOES NOT APPLY TO THE EXISTING SALES OR CONTRACTS TO SELL.—None of the provisions of this Act shall apply to any sale, or to any contract to sell, made prior to the taking effect of this Act.

Inconsistent legislation repealed

SEC. 77. INCONSISTENT LEGISLATION REPEALED.—All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Effective date.

SEC. 78. TIME WHEN THE ACT TAKES EFFECT.—This Act shall take effect on the 1st day of July, 1937.

Name of Act.

SEC. 79. NAME OF ACT.—This Act may be cited as the "Uniform Sales Act".

Approved, March 17, 1937.

[CHAPTER 46]

AN ACT

March 24, 1937
[S. 361]
[Public, No. 22]

To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, North Dakota.

Missouri River. Time extended for bridging, at Garrison, N. Dak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Garrison, North Dakota, authorized to be built by the State of North Dakota, by the Acts [1] of Congress approved February 10, 1932, and heretofore extended by Acts of Congress approved February 14, 1933, and June 12, 1934, May 24, 1935, and June 5, 1936, are hereby further extended one and three years, respectively, from June 12, 1937.

47 Stat. 43, 804; 48 Stat. 946; 49 Stat. 288, 1476.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 24, 1937.

[CHAPTER 47]

AN ACT

March 24, 1937
[S. 996]
[Public, No. 23]

To further extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebraska, and Onawa, Iowa.

Missouri River. Time extended for bridging, Decatur, Nebr., to Onawa, Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River, between the towns of Decatur, Nebraska, and Onawa, Iowa, authorized to be built by the county of Burt, State of Nebraska, by section 29 of the Act of Congress approved August 30, 1935, heretofore extended by Act of Congress approved June 19, 1936, are hereby further extended one and three years, respectively, from August 30, 1937.

49 Stat. 1072, 1530.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 24, 1937.

[CHAPTER 48]

AN ACT

March 24, 1937
[S. 997]
[Public, No. 24]

To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near the cities of South Sioux City, Nebraska, and Sioux City, Iowa.

Missouri River. Time extended for bridging, South Sioux City, Nebr., to Sioux City, Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Missouri River, at or near the cities of South Sioux City,

[1] So in original.

Nebraska, and Sioux City, Iowa, authorized to be built by the county of Dakota, State of Nebraska, by section 30 of the Act of Congress approved August 30, 1935, heretofore extended by Act of Congress approved June 19, 1936, are hereby further extended one and three years, respectively, from August 30, 1937. 49 Stat. 1073, 1530.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment

Approved, March 24, 1937.

[CHAPTER 49]

AN ACT

March 24, 1937
[H. R. 5487]
[Public, No. 25]

To amend section 4551 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., Supp. II, title 46, sec. 643).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4551 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., Supp. II, title 46, sec. 643), is amended to read as follows: Merchant seamen. R. S. § 4551. 46 U. S. C., Supp. II, § 643.

"SEC. 4551. (a) Every seaman upon a merchant vessel of the United States of the burden of one hundred gross tons or upward, except vessels employed exclusively in trade on the navigable rivers of the United States, shall be furnished, at the option of the seaman, with a book to be known as a continuous discharge book or with a certificate of identification, which book or certificate shall be retained by the seaman and shall contain the signature of the seaman to whom it is so furnished and a statement of his nationality, age, personal description, photograph, thumbprint, and home address. Such books or certificates shall be issued by the shipping commissioners, or, at ports where no shipping commissioners have been appointed, by collectors or deputy collectors of customs or United States local inspectors of steam vessels, in such manner and form as the Director of the Bureau of Marine Inspection and Navigation, subject to the approval of the Secretary of Commerce, shall determine. Any individual, firm, partnership, corporation, or association which shall issue any such book or certificate, or make any statement or endorsement therein, except as authorized by the provisions of this section, or issue any imitation of any such book or certificate, shall be deemed guilty of a misdemeanor and shall be imprisoned not less than one month nor more than three months, in the discretion of the court.

Continuous discharge book or certificate of identification.

Contents

Issuance by shipping commissioners, etc.

Unauthorized entries, etc.

Penalty.

"(b) Any person applying for such book or certificate and claiming to be a citizen of the United States shall furnish satisfactory evidence of such citizenship.

Citizenship requirements.

"(c) No seaman shall be employed on any vessel to which this section applies until he has exhibited a certificate of identification or a continuous discharge book to the shipping commissioner, or in cases where seamen are not signed on before the shipping commissioner, to the master of the vessel: *Provided*, That the provisions of this subsection shall not apply to the employment of seamen at a foreign port or place, in which case seamen so employed shall be furnished a continuous discharge book or a certificate of identification, in accordance with the provisions of subsection (a) of this section, at the first port of entry in the United States or its territories at which the vessel arrives after such seamen are so employed.

Employment without certificate, etc., forbidden.

Proviso.
Foreign ports; requirement.

"(d) Upon the discharge of any seaman and the payment of his wages, the shipping commissioner shall enter in the continuous discharge book of such seaman, if the seaman carries such a book, the name and official number of the vessel, the nature of the voyage (foreign, intercoastal, or coastwise), the class to which the vessel

Entry on seaman's discharge.

Data required.

belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, the rating (capacity in which employed) then held by such seaman, and the signature of the person making such entries and nothing more.

Certificate of discharge.

"(e) For the purpose of furnishing evidence of sea service in the case of seamen preferring the certificate of identification instead of the continuous discharge book, the Bureau of Marine Inspection and Navigation shall provide a certificate of discharge, printed on durable paper, in such form as to specify the name and citizenship of the seaman to whom it is issued, the serial number of his certificate of identification, the name and official number of the vessel, the nature of the voyage (foreign, intercoastal, or coastwise), the class to which the vessel belongs (steam, motor, sail, or barge), the date and place of the shipment and of the discharge of such seaman, and the rating (capacity in which employed) then held by such seaman.

Records of service to contain no reference to character or ability of seaman.

Records of service entered in either continuous discharge books or certificates of discharge shall contain no reference to the character or ability of the seaman. The shipping commissioner shall issue such certificate of discharge and make the proper entries therein, which certificate shall be signed by the seaman to whom it is issued and the master of the vessel and shall be witnessed by such shipping commissioner.

Bureau of Marine Inspection and Navigation; records to be kept by.

"(f) There shall be maintained in the Bureau of Marine Inspection and Navigation in Washington, District of Columbia, a record of every continuous discharge book, certificate of identification, certificate of discharge, and any other certificate issued by the Bureau of Marine Inspection and Navigation, together with the name and address of the seaman to whom it is issued and of his next of kin, and certified copies of all entries made in continuous discharge books or certificates of discharge, which entries shall be forwarded to the Bureau by the shipping commissioner or other person making such entries in accordance with the provisions of this section. Records so maintained shall not be open for general or public use or inspection.

Not open for public inspection.

Unlawful acts.

"(g) Any person, partnership, company, or corporation who shall require any seaman employed or applying for employment to possess, produce, or carry a continuous discharge book, if and when such seaman possesses or carries an identification certificate, or to carry an identification certificate, if and when such seaman possesses and carries a continuous discharge book, or who shall exchange or give to any other person, partnership, company, or corporation information to cause discrimination against a seaman for electing to carry either an identification certificate or a continuous discharge book, or to prevent a seaman from obtaining employment on that account, shall be deemed guilty of a misdemeanor; and, on conviction thereof, shall be punishable by a fine of not more than $1,000 or imprisonment for not more than one year, at the discretion of the court.

Penalty.

False statements.

"Seamen shall apply for certificates of identification or continuous discharge books hereunder; and if any application contains any statement known by the applicant to be false, he shall be deemed guilty of a misdemeanor and, on conviction thereof before any district court of the United States, shall be fined not more than $1,000 or imprisoned for not more than one year, in the discretion of the court.

Issuance of duplicate in case of loss.

"(h) In case of the loss of a continuous discharge book, a certificate of identification, or of any certificate of discharge by shipwreck or other casualty, the seaman shall be supplied with a duplicate of such continuous discharge book, certificate of identification, or certificate of discharge in which shall be entered all data that may be

available from the copies of records kept by the Bureau of Marine Inspection and Navigation. In other cases of loss the seaman may obtain a duplicate of such continuous discharge book, certificate of identification, or certificates of discharge, containing the same entries, upon a payment of a sum equivalent to the cost thereof to the Government to be determined from time to time by the Secretary of Commerce.

"(i) The provisions of this section shall not apply to fishing or whaling vessels or yachts. Exemptions.

"(j) The Secretary of Commerce shall enforce this section as to all vessels of the United States subject to the provisions hereof through collectors of customs and other Government officers acting under the direction of the Bureau of Marine Inspection and Navigation, and shall make such rules and regulations as he may deem necessary to carry out the provisions of this section. Administrative provisions

"(k) Where vessels are required to sign on and discharge the crew before a shipping commissioner and no shipping commissioner is appointed or is available the functions and duties required by subsections (d) and (e) of this section to be performed by such shipping commissioner may be performed by a collector or deputy collector of customs; and where vessels are not required to sign on and discharge the crew before a shipping commissioner the duties and functions required by subsections (d) and (e) of this section to be performed by the shipping commissioner shall be performed by the master of such vessel. Any master who shall fail to perform such duties or functions shall be fined in the sum of $50 for each offense."

SEC. 2. This Act shall take effect as to vessels within the provisions of section 4551 of the Revised Statutes, as amended, as follows: (a) Upon its enactment in the case of such vessels engaged in foreign or intercoastal voyages, and (b) on June 25, 1937, in the case of all other such vessels: *Provided*, That, until June 25, 1937, the Secretary of Commerce is hereby authorized, pending the issuance of permanent certificates of identification and permanent certificates of discharge under such section, to provide for temporary certificates of identification and temporary certificates of discharge, which shall have the same force and effect as the permanent certificates. Effective dates. *Proviso.* Temporary certificates.

Approved, March 24, 1937.

[CHAPTER 50]

JOINT RESOLUTION

Providing for the construction and maintenance of a National Gallery of Art.

March 24, 1937
[H. J. Res. 217]
[Pub. Res., No. 14]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the area bounded by Seventh Street, Constitution Avenue, Fourth Street, and North Mall Drive, Northwest, in the District of Columbia, is hereby appropriated to the Smithsonian Institution as a site for a National Gallery of Art. The Smithsonian Institution is authorized to permit the A. W. Mellon Educational and Charitable Trust (hereinafter referred to as the donor) to construct on said site for the Smithsonian Institution a building to be designated the National Gallery of Art, and to remove any existing structure and landscape the grounds within said area. The adjoining area bounded by Fourth Street, Pennsylvania Avenue, Third Street, and North Mall Drive, Northwest, in the District of Columbia, is hereby reserved as a site National Gallery of Art. Site. Construction; donor. Future additions.

Approval of plans, etc

for future additions to the National Gallery of Art. The project shall be in accordance with plans and specifications approved by the Commission of Fine Arts.

Trustees of the National Gallery of Art.

Duty, functions, etc.

SEC. 2. (a) There is hereby established in the Smithsonian Institution a bureau, which shall be directed by a board to be known as the Trustees of the National Gallery of Art, whose duty it shall be to maintain and administer the National Gallery of Art and site thereof and to execute such other functions as are vested in the board by this Act.

Composition.

The board shall be composed as follows: The Chief Justice of the United States, the Secretary of State, the Secretary of the Treasury, and the Secretary of the Smithsonian Institution, ex officio; and five general trustees who shall be citizens of the United States, to be chosen as hereinafter provided.

Ineligibility of Federal officers, etc.

No officer or employee of the Federal Government shall be eligible to be chosen as a general trustee.

General trustees; appointment, terms, etc.

(b) The general trustees first taking office shall be chosen by the Board of Regents of the Smithsonian Institution, subject to the approval of the donor, and shall have terms expiring one each on July 1 of 1939, 1941, 1943, 1945, and 1947, as designated by the Board of Regents.

Successors; filling of vacancies.

A successor shall be chosen by a majority vote of the general trustees and shall have a term expiring ten years from the date of the expiration of the term for which his predecessor was chosen, except that a successor chosen to fill a vacancy occurring prior to the expiration of such term shall be chosen only for the remainder of such term.

Acceptance, etc., of gift from donor.

SEC. 3. Upon completion of the National Gallery of Art, the board shall accept for the Smithsonian Institution as a gift from the donor a collection of works of art which shall be housed and exhibited in the National Gallery of Art.

Funds pledged for upkeep, etc.

SEC. 4. (a) The faith of the United States is pledged that, on completion of the National Gallery of Art by the donor in accordance with the terms of this Act and the acquisition from the donor of the collection of works of art, the United States will provide such funds as may be necessary for the upkeep of the National Gallery of Art and the administrative expenses and costs of operation thereof, including the protection and care of works of art acquired by the board, so that the National Gallery of Art shall be at all times properly maintained and the works of art contained therein shall be exhibited regularly to the general public free of charge.

Exhibit open to public.

Appropriations authorized.

For these purposes there are hereby authorized to be appropriated such sums as may be necessary.

Acceptance of gifts, etc.

(b) The board is authorized to accept for the Smithsonian Institution and to hold and administer gifts, bequests, or devises of money, securities, or other property of whatsoever character for the benefit of the National Gallery of Art.

Administration of trust funds.

Unless otherwise restricted by the terms of the gift, bequest, or devise, the board is authorized to sell or exchange and to invest or reinvest in such investments as it may determine from time to time the moneys, securities, or other property composing trust funds given, bequeathed, or devised to or for the benefit of the National Gallery of Art. The income as and when collected shall be placed in such depositaries as the board shall determine and shall be subject to expenditure by the board.

Officers and employees.

Appointment, pay, etc.

(c) The board shall appoint and fix the compensation and duties of a director, an assistant director, a secretary, and a chief curator of the National Gallery of Art, and of such other officers and employees of the National Gallery of Art as may be necessary for

the efficient administration of the functions of the board. Such director, assistant director, secretary, and chief curator shall be compensated from trust funds available to the board for the purpose, and their appointment and salaries shall not be subject to the civil-service laws or the Classification Act of 1923, as amended. The director, assistant director, secretary, and chief curator shall be well qualified by experience and training to perform the duties of their office and the original appointment to each such office shall be subject to the approval of the donor.

Compensation payable from trust funds.

Qualifications.

(d) The actions of the board, including any payment made or directed to be made by it from any trust funds, shall not be subject to review by any officer or agency other than a court of law.

Review of board actions

SEC. 5. (a) The board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations, as it deems necessary for the administration of its functions under this Act, including, among other matters, bylaws, rules, and regulations relating to the acquisition, exhibition, and loan of works of art, the administration of its trust funds, and the organization and procedure of the board. The board may function notwithstanding vacancies, and three members of the board shall constitute a quorum for the transaction of business.

Powers of board.

(b) In order that the collection of the National Gallery of Art shall always be maintained at a high standard and in order to prevent the introduction therein of inferior works of art, no work of art shall be included in the permanent collection of the National Gallery of Art unless it be of similar high standard of quality to those in the collection acquired from the donor.

Maintenance of high standard of collection.

(c) The board shall have all the usual powers and obligations of a trustee in respect of all trust funds administered by it and all works of art acquired by it.

Powers and obligations as trustee of trust funds.

(d) The board shall submit to the Smithsonian Institution an annual report of its operations under this Act, including a detailed statement of all acquisitions and loans of works of art and of all public and private moneys received and disbursed.

Annual report of board.

SEC. 6. (a) The Commissioners of the District of Columbia are hereby authorized and directed to close Sixth Street, Northwest, within the boundaries of the site for the National Gallery of Art. The National Capital Park and Planning Commission shall determine the building lines and approve the plan of approaches for said gallery, and shall also make recommendations for the widening and adjustment of Third, Seventh, Ninth, and such other streets in the vicinity as may be necessary and desirable to provide for the traffic which would otherwise use Sixth Street.

Sixth Street, Northwest, to be closed within limits of site.

Building lines, approaches, etc.

(b) Section 10 of the Public Building Act, approved March 4, 1913 (37 Stat. L., p. 881), relating to the George Washington Memorial Building, and all provisions of law amendatory thereof, are hereby repealed.

George Washington Memorial Building. Provisions for erection of, repealed. 37 Stat. 881.

(c) The existing bureau of the Smithsonian Institution now designated as a national gallery of art shall hereafter be known as the National Collection of Fine Arts.

Designation of present national gallery of art changed.

(d) The fifth paragraph under the heading "Smithsonian Institution" in the Independent Offices Appropriation Act for the fiscal year 1924, approved February 13, 1923 (42 Stat. L. 1235), relating to the erection of a national gallery of art, is hereby repealed.

Existing construction provisions repealed. 42 Stat. 1235.

Approved, March 24, 1937.

[CHAPTER 51]

JOINT RESOLUTION

March 24, 1937
[H. J. Res. 272]
[Pub. Res., No. 15]

To authorize the Administrator of Veterans' Affairs to accept title for the United States to certain real property to be donated by Mr. Henry Ford and wife for Veterans' Administration facility purposes.

Henry Ford and wife.
Acceptance of certain real property donated by, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to accept on behalf of the United States title to a triangular tract of land bounded by Southfield Road, Snow or Pepper Road and Outer Drive, in Ecorse Township, Wayne County, State of Michigan, containing approximately thirty-eight acres, to be donated by Mr. Henry Ford and Clara J. Ford, his wife, upon the condition that such property be used for the purpose of constructing, operating, and maintaining what is now designated as a Veterans' Administration facility or which may hereafter be so designated or similarly designated by or in accordance with law, which may include domiciliary, hospital, regional office, and such other activities essential to the functioning of the facility, and when no longer used for this purpose the property donated to revert to the grantors, their heirs, executors or assigns, the said tract of land being described as follows:

Use as a Veterans' Administration facility.

Reversionary provision.

Description.

Lands lying in private claim 31, Ecorse Township, Wayne County, Michigan, and described more particularly as follows:

Commencing at the point of intersection of the easterly line of Southfield (formerly known as Town Line) Road, of two hundred and four foot width and the northerly line of Outer Drive of one hundred and fifty foot width; thence easterly along the northerly line of said Outer Drive one hundred and ninety-three and forty-eight one-hundredths feet along the arc of a curve of radius two hundred and seventy-four and twenty one-hundredths feet to a point which is south seventy-eight degrees nineteen minutes thirty seconds east one hundred and eighty-nine and forty-five one-hundredths feet from the last previously mentioned point; thence north eighty-one degrees twenty-seven minutes fifty seconds east one thousand seven hundred and ninety and sixty-four one-hundredths feet along the said northerly line of Outer Drive; thence easterly one hundred and fifty-six and eighty-nine one-hundredths feet measured along the arc of a curve of five hundred and seventy-five and fifty-four one-hundredths feet radius to a point on the center line of Snow (formerly Pepper) Road, which bears north eighty-nine degrees sixteen minutes twenty seconds east one hundred and fifty-six and fourteen one-hundredths feet from the last previously mentioned point; thence northwesterly along the center line of said Snow Road, north thirty-seven degrees four minutes no seconds west one thousand five hundred and sixty-six and ninety-six one-hundredths feet and north twenty-seven degrees three minutes ten seconds west two hundred and fifty-three and sixty one-hundredths feet to the point of intersection with the said easterly line of Southfield Road; thence southerly along the said easterly line of Southfield Road south thirty-one degrees forty-four minutes no seconds west two thousand and three and sixty-nine one-hundredths feet to the point of commencement, containing thirty-eight and nine hundred and thirty one-thousands [1] acres, more or less.

Approved, March 24, 1937.

[1] So in original.

[CHAPTER 53]

JOINT RESOLUTION

March 27, 1937
[H. J. Res. 221]
[Pub. Res., No. 16]

To permit articles imported from foreign countries for the purpose of exhibition at the Greater Texas and Pan-American Exposition, Dallas, Texas, to be admitted without payment of tariff, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the international exposition to be held at Dallas, Texas, beginning in June 1937, by the Greater Texas and Pan-American Exposition, a corporation, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the Greater Texas and Pan-American Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the Greater Texas and Pan-American Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Approved, March 27, 1937.

Greater Texas and Pan-American Exposition, Dallas, Tex.

Dutiable articles, imported for exhibition purposes, etc., admitted free, under regulations.

Post, p. 58.

Sales permitted.

Provisos.

Duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

Articles abandoned.

Transfer privilege.

Exposition deemed sole consignee of merchandise.

Incurred Federal expenses reimbursable.

Deposit of, as refunds.

46 Stat. 741.
19 U. S. C. § 1524.

[CHAPTER 58]

AN ACT

March 29, 1937
[H. R 3898]
[Public, No 26]

To amend section 318 of the Communications Act of 1934.

Communications Act of 1934, amendment.
48 Stat 1089.
47 U. S. C. § 318.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 318 of the Communications Act of 1934 is hereby amended to read as follows:

Operation of transmitting apparatus.
Requirement.

"SEC. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this Act shall be carried on only by a person holding an operator's license issued hereunder, and no person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission: *Provided, however*, That the Commission if it shall find that the public interest, convenience, or necessity will be served thereby may waive or modify the foregoing provisions of this section for the operation of any station except (1) stations for which licensed operators are required by international agreement, (2) stations for which licensed operators are required for safety purposes, (3) stations engaged in broadcasting, and (4) stations operated as common carriers on frequencies below thirty thousand kilocycles: *Provided further*, That the Commission shall have power to make special regulations governing the granting of licenses for the use of automatic radio devices and for the operation of such devices."

Provisos.
Exceptions.

Automatic radio devices, etc.

Approved, March 29, 1937.

[CHAPTER 59]

JOINT RESOLUTION

March 29, 1937
[H. J. Res. 43]
[Pub. Res., No. 17]

To amend Public Law Numbered 780, Seventy-fourth Congress, to authorize the acquisition of lands in the city of Alameda, county of Alameda, State of California, as a site for a naval air station and to authorize the construction and installation of a naval air station thereon, for the purpose of making a correction therein.

Alameda, Calif.
Act authorizing acquisition of certain lands in, amended.
49 Stat. 1901.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of Public Law Numbered 780, entitled "An Act to authorize the acquisition of lands in the city of Alameda, county of Alameda, State of California, as a site for a naval air station and to authorize the construction and installation of a naval air station thereon", approved June 24, 1936, is amended by inserting after the words "free from all", before the colon and preceding the proviso, the word "encumbrances".

Approved, March 29, 1937.

[CHAPTER 60]

JOINT RESOLUTION

March 29, 1937
[H. J. Res. 131]
[Pub. Res., No. 18]

For the payment of certain employees of the United States Government in the District of Columbia and employees of the District of Columbia for January 20, 1937.

District of Columbia.
Certain Government and District employees to receive pay for January 20, 1937.
25 Stat. 185.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the employees of the United States Government in the District of Columbia and the employees of the District of Columbia who come within the provisions of the Act approved June 18, 1888, and who, under the provisions of said Act, did not work on Wednesday, January 20, 1937, due to the closing of their places of employment on account of the holiday, shall be entitled to pay for said holiday.

Approved, March 29, 1937.

[CHAPTER 61]

JOINT RESOLUTION

Declaring Joseph P. Kennedy eligible for appointment as a member of the United States Maritime Commission.

March 30, 1937
[S. J. Res. 110]
[Pub. Res., No. 19]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of Section 201 (b) of the Merchant Marine Act, 1936, approved June 29, 1936, Joseph P. Kennedy is declared to be eligible for appointment as a member of the United States Maritime Commission.

United States Maritime Commission.
Joseph P. Kennedy declared eligible for appointment as a member of.
49 Stat. 1985.
46 U. S. C., Supp. II, § 1111.

Approved, March 30, 1937.

[CHAPTER 64]

AN ACT

To amend section 704 of the Merchant Marine Act of 1936 (49 U. S. Stat. L. 2008–2009).

April 1, 1937
[H. R 4951]
[Public, No. 27]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 704 of the Merchant Marine Act of 1936 (49 U. S. Stat. L. 2008–2009) be amended to read as follows:

Merchant Marine Act of 1936, amendment.
49 Stat. 2008.
46 U. S. C., Supp. II, § 1194

"SEC. 704. All vessels transferred to or otherwise acquired by the Commission in any manner may be chartered or sold by the Commission pursuant to the further provisions of this Act. All vessels transferred to the Commission by this Act and now being operated by private operators on lines in foreign commerce of the United States shall be temporarily operated by the Commission for its account by private operators until such time and upon such operating agreements as the Commission may deem advantageous, but the Commission shall arrange as soon as practicable to offer all such lines of vessels for charter as hereinafter provided, preference to be given to present operators, and all operation of the Commission's vessels by private operators under such operating agreements shall be discontinued within one year after the passage of this Act: *Provided*, That nothing herein contained shall prevent private operators, under such operating agreements, commencing voyages prior to said expiration date and completing them thereafter: *Provided further*, That nothing contained herein shall be construed as limiting or affecting the power of sale under provisions of section 705 of this Act."

Charter or sale of vessels acquired by Commission.
Temporary operation in foreign commerce, by private operators; time limitation

Provisos.
Completion of voyages begun before expiration date.
Sale provisions not affected.

Approved, April 1, 1937.

[CHAPTER 69]

JOINT RESOLUTION

Making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs.

April 6, 1937
[S. J. Res. 75]
[Pub. Res , No. 20]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the application of such methods of control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs, as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with such authorities of the States concerned, organizations or individuals as the Secretary may deem necessary to accomplish such purposes, including the employment of persons and means in the District of Columbia and elsewhere, printing, rent outside of the District of Columbia, and for

Insect pest and plant disease control.
Appropriation authorized for.
Post, pp. 120, 514.

Personal services, etc.

other purposes, the sum of $2,000,000 is hereby authorized to be appropriated, to be made immediately available and remain available until expended; and there are hereby authorized to be appropriated such additional sums as may be necessary to replenish the fund to its original amount at the beginning of each fiscal year: *Provided*, That such appropriations shall be administered by the Bureau of Entomology and Plant Quarantine and shall be used for expenditures of general administration and supervision, surveys, purchase, transportation, and application of poison baits or materials and equipment for control of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs, or for the preparation of such materials for application, and such other expenses as in the discretion of the Secretary of Agriculture may be deemed necessary: *And provided further*, That no part of such appropriations shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.

Additional sums for annual replenishment of fund.

Provisos. Administration.

Use restricted.

Approved, April 6, 1937.

[CHAPTER 72]

JOINT RESOLUTION

April 9, 1937
[S. J. Res. 66]
[Pub. Res., No. 21]

Providing for the participation by the United States in the Greater Texas and Pan American Exposition to be held in the State of Texas during the year 1937.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission, to be known as the United States Greater Texas and Pan American Exposition Commission (hereinafter referred to as the Commission) to be composed of the Vice President, the Secretary of State, the Secretary of Agriculture, and the Secretary of Commerce; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of the Greater Texas and Pan American Exposition in the State of Texas during the year 1937.

Greater Texas and Pan American Exposition.
Commission established; composition, purpose, etc.
Ante, pp. 19, 55.

SEC. 2. There is hereby created a United States Commissioner General for such exposition, to be appointed by the President, by and with the advice and consent of the Senate, who shall serve without compensation. The expenses of said Commissioner General and the salary and expenses of such staff as he may require shall be paid out of the funds made available by this joint resolution for a period of time covering the duration of the exposition and not to exceed a six months' period following the closing thereof, and for such period prior to the opening of the exposition as the Commission shall determine.

Commissioner General; appointment.

Payment of expenses, and staff.

SEC. 3. The Commission shall prescribe the duties of said Commissioner General and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at such exposition by the Government of the United States, its executive departments, independent offices, and establishments such articles and materials and documents as will best tend to illustrate the functions and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrate the nature of our institutions, particularly as regards their adaptation to the needs of the people.

Duties and powers of Commissioner General.

SEC. 4. The Commissioner General is authorized to appoint such clerks, stenographers, and other assistants as may be necessary and to fix their salaries in accordance with the Classification Act of 1923, as amended, purchase such materials, and contract for such labor and other services as are necessary, and exercise such powers as are delegated to him by the Commission.

Personnel; appointment, salaries, etc.

5 U. S. C. §§ 661–674.

Cooperation of Government agencies.

SEC. 5. The heads of the various executive departments, independent offices, and establishments of the Government are authorized to cooperate with the said Commissioner General in the procurement, installation, and display of exhibits, and to lend to the Commission such articles, specimens, and exhibits which said Commission shall deem to be in the interest of the United States and in keeping with the purposes of such exposition, to contract for such labor or other services as shall be deemed necessary, and to designate officials or employees of their departments, independent offices, and establishments to assist said Commissioner General. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, said Commissioner General shall cause all such property to be returned to the respective departments, independent offices, and establishments from which taken, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions, fairs, and other celebrations, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the funds made available herein; and if the return of such property is not feasible, he may, with the consent of the department, independent office, or establishment from which it was taken, make such disposition thereof as he may deem advisable and account therefor.

Loan of exhibits.

Contracts for labor, etc.

Return of property at close of exposition.

Preparation of reports.

Disposition of property not returned.

Expenditures authorized.

SEC. 6. The Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution. The Commission is further authorized to rent such space as it may deem adequate to carry out effectively the provisions of this joint resolution; and to provide for the decoration of buildings or structures, for the proper maintenance of buildings or structures, site, and grounds occupied by the United States during the period of the exposition. The funds made available herein may be used for the operation of such building or buildings, structure or structures, including light, heat, water, gas, janitor, and other required services; for the selection, purchase, preparation, assembling, transportation, installation, arrangement, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibit; for the payment of all necessary expenses of such Commissioner General, and for the compensation of other officers and employees of the Commission in the District of Columbia and elsewhere; for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, and for actual traveling expenses, including travel by air, and for per diem in lieu of actual subsistence at not to exceed $6 per day: *Provided*, That no such Government official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department, independent office, or establishment where employed, plus such reasonable allowance for travel, including travel by air, and subsistence expenses as may be deemed proper by the Commissioner General; for telephone service, purchase or rental of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers and all other appropriate publications, and ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance,

Rental of space.

Allocation of funds.

Personal services, etc.

Provisos.
Salary restriction.

Furniture, supplies, etc.

Payments in advance.

Printing and binding.

repair, and operation, for the official use of said Commissioner General in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished visitors; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility as hereinbefore stipulated, may delegate these powers and functions to said Commissioner General, and said Commissioner General, with the consent of the Commission, may subdelegate them: *Provided further*, That the Commission or its delegated representative may allot funds made available herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment, for the purpose of defraying any expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by the said Commissioner General, or by such assistants as he may designate, except for such allotments as may be made to the various executive departments, independent offices and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, or permit any obligations to be incurred in excess of the amount authorized herein: *And provided further*, That in the construction of exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, shall be paid.

Supervision of expenditures

Delegation of powers.

Allotment of funds to executive departments, etc.

Approval of vouchers

Prevailing wages for construction work.
46 Stat. 1494.
40 U. S. C. § 276a.

SEC. 7. The Commissioner General, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds made available by this joint resolution. The Commissioner General is also authorized to receive contributions of material, or to borrow materials or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the exposition or when the connection of the Government of the United States therewith ceases, the Commissioner General shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property: *Provided*, That all disposition of such materials and property shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States.

Acceptance of contributions.

Disposal of material, etc.

Proviso.
Public sale.

SEC. 8. The rights and liabilities under existing contracts entered into by the United States Texas Centennial Commission under the authority granted to it by Public Resolution Numbered 69, Seventy-fourth Congress, approved February 11, 1936, shall be transferred to and assumed by the Commission established by this joint resolution. All authority, powers, and duties of the United States Texas Centennial Commission under such Public Resolution Numbered 69, and all unexpended balances of appropriations available to said commission, shall be transferred to the United States Greater Texas and Pan American Exposition Commission to carry out the provisions of this joint resolution. Such unexpended balances of appropriations shall remain available until expended. Any monuments, statues, markers, buildings, and other structures, erected or constructed, and any lands, historic papers, and paintings purchased,

Transfer of certain contracts.

49 Stat. 1136.

Transfer of functions, funds, etc.

Use of balances.

Disposition of monuments, etc.

by the United States Texas Centennial Commission directly under contract shall be transferred to the Commission established by this joint resolution, and any such property may be assigned by such latter Commission in the manner prescribed by section 2 of such Public Resolution Numbered 69. This section shall take effect on the date of the submission to the Congress of the final report of the United States Texas Centennial Commission as provided by section 9 of Public Resolution Numbered 37, Seventy-fourth Congress, approved June 28, 1935.

Effective date of section, final report.

49 Stat. 435.

SEC. 9. Any funds allocated by the United States Texas Centennial Commission to the Commission of Control for Texas Centennial Celebrations under the provisions of such Public Resolution Numbered 69 may be transferred in the discretion of the Commission upon the enactment of this joint resolution to said Commission of Control for Texas Centennial Celebrations to carry out the purposes for which such funds were so allocated.

Transfer of funds allocated to Commission of Control for Texas Centennial Celebrations.

49 Stat. 1136

SEC. 10. It shall be the duty of the Commission to transmit to Congress, within six months after the close of the exposition, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

Report to Congress.

Termination of Commission.

Approved, April 9, 1937.

[CHAPTER 73]

JOINT RESOLUTION

April 12, 1937
[H. J. Res. 278]
[Pub. Res., No. 22]

To make funds available to carry out the provisions of existing law authorizing the purchase and distribution of products of the fishing industry.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That not to exceed $1,000,000 of the funds available to the Federal Surplus Commodities Corporation may be used by such Corporation for the purpose of diverting surplus fish (including shellfish) and the products thereof from the normal channels of trade and commerce by the acquisition and distribution thereof in accordance with the provisions of the Act entitled "An Act to authorize the purchase and distribution of products of the fishing industry", approved March 5, 1937.

Fishing industry products
Designated funds made available for purchase and distribution of.

Ante, p. 27.

Approved, April 12, 1937.

[CHAPTER 74]

JOINT RESOLUTION

April 12, 1937
[S. J. Res. 53]
[Pub. Res., No. 23]

Providing for a continuance of the participation of the United States in the Great Lakes Exposition in the State of Ohio in 1937, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States continue its participation in the Great Lakes Exposition in the State of Ohio during the year 1937.

Great Lakes Exposition.
Federal participation in, continued.

SEC. 2. The provisions of the joint resolution entitled "Joint resolution providing for the participation of the United States in the Great Lakes Exposition to be held in the State of Ohio during the year 1936, and authorizing the President to invite the Dominion of Canada to participate therein, and for other purposes", approved April 25, 1936, are hereby extended and made applicable to the continuance of the participation of the United States in such exposition in 1937.

Provisions extended.
49 Stat. 1243.

Appropriation authorized.
Post, pp. 215, 758.

SEC. 3. For the purposes of this resolution, there is hereby authorized to be appropriated the sum of $175,000, which shall be in addition to the unexpended balance of the sum heretofore appropriated for carrying out the provisions of such joint resolution of April 25, 1936.

Approved, April 12, 1937.

[CHAPTER 75]

April 13, 1937
[S. 1500]
[Public, No. 28]

AN ACT

Authorizing the Secretary of Agriculture to provide for the classification of cotton, to furnish information on market supply, demand, location, condition, and market prices for cotton, and for other purposes.

Cotton standards, etc.
44 Stat. 1373.
7 U. S. C. §§ 473, 474.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927, is amended by inserting between sections 3 and 4 thereof the following new sections:

Classification provisions.

"SEC. 3a. The Secretary of Agriculture, upon request in writing from any group of producers organized to promote the improvement of cotton who comply with such regulations as he may prescribe, is authorized and directed to determine and to make promptly available to such producers, the classification, in accordance with the official cotton standards of the United States, of any cotton produced by them. The Secretary of Agriculture is further authorized to pay the transportation charges and to furnish tags and containers for the samples of cotton submitted for classification under this section, and all samples of cotton so classified shall become the property of the Government, and the proceeds of any sales thereof after classification shall be covered into the Treasury of the United States as miscellaneous receipts.

Transportation, tags, and containers.

Samples, disposition of proceeds of sales.

Market news service.

"SEC. 3b. The Secretary of Agriculture is also authorized and directed to collect, authenticate, publish, and distribute, by telegraph, radio, mail, or otherwise, timely information on the market supply, demand, location, condition, and market prices for cotton, and to cause to be prepared regularly and distributed for posting at gins, in post offices, or in other public or conspicuous places in cotton-growing communities, information on prices for the various grades and staple lengths of cotton.

Rules and regulations.

"SEC. 3c. The Secretary of Agriculture is further authorized to make such rules and regulations as he may deem necessary to effectuate the purposes of this Act."

Approved, April 13, 1937.

[CHAPTER 76]

April 13, 1937
[S. J. Res. 102]
[Pub. Res., No. 24]

JOINT RESOLUTION

Authorizing the President of the United States of America to proclaim October 11, 1937, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

General Pulaski's Memorial Day.
President authorized to invite observance of.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1937, and inviting the people of the United States to observe the day in schools and churches or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

Approved, April 13, 1937.

[CHAPTER 77]

JOINT RESOLUTION

April 14, 1937
[H. J. Res. 226]
[Pub. Res., No. 25]

To amend section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", approved July 1, 1902, as amended.

District of Columbia, bowling alleys.
Sunday closing hours.
32 Stat. 625; 47 Stat. 553.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 21 of section 7 of the Act entitled "An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes", as amended, be amended by striking out the period at the end of the paragraph, inserting a colon, and adding the following words: "*Provided, however*, That bowling-alley establishments licensed under this section shall be closed at midnight on Saturday night and shall remain closed until 2 o'clock postmeridian."

Approved, April 14, 1937.

[CHAPTER 78]

AN ACT

April 14, 1937
[S. 1133]
[Public, No. 29]

To amend an Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes", approved March 3, 1909, to extend commissary privileges to widows of officers and enlisted men of the Navy, Marine Corps, and Coast Guard and also to officers of the Foreign Service of the United States at foreign stations.

Navy.
Extension of commissary privileges authorized.
35 Stat. 768.
34 U. S. C. § 533.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that part of the Act of March 3, 1909 (35 Stat. 768; U. S. C., title 34, sec. 533), which provides "That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy and Marine Corps, also to civilian employees at naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe", is hereby amended to read as follows: "That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy, Marine Corps and Coast Guard; to the widows of such officers and enlisted men; to civilian employees of the Navy Department and to officers of the Foreign Service of the United States at naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe".

Foreign Service officers.

Approved, April 14, 1937.

[CHAPTER 79]

AN ACT

April 14, 1937
[S. 1285]
[Public, No. 30]

To amend that provision of the Act approved March 3, 1879 (20 Stat. L. 412), relating to issue of arms and ammunition for the protection of public money and property.

Arms and ammunition for protecting public money and property.
20 Stat. 412.
50 U. S. C. § 61.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision relating to issue by the Secretary of War of arms and ammunition for protection of public money and property, contained in the Act of March 3, 1879 (20 Stat. L. 412), be, and the same is hereby, amended to read as follows:

Issue of, authorized.

"That upon the request of the head of any department or independent agency of the Government, the Secretary of War be, and he is hereby, authorized to issue arms, suitable accouterments for use

Delivery and accounting.

Return.

Proviso
Transfer of funds for incidental costs.

therewith, and ammunition whenever they may be required for the protection of the public money and property, and they may be delivered to any officer of the department or independent agency designated by the head of such department or independent agency, to be accounted for to the Secretary of War, and to be returned when the necessity for their use has expired: *Provided, however*, That hereafter the cost of all ammunition issued, the cost of replacing borrowed arms and accouterments which are lost or destroyed or are irreparable, the cost of repairing arms and accouterments returned to the War Department, and the cost to the War Department of making and receiving shipments under the authority of this Act shall be covered by transfer of funds from the department or independent agency concerned to the credit of War Department funds."

Approved, April 14, 1937.

[CHAPTER 80]

April 14, 1937
[S. 1550]
[Public, No. 31]

AN ACT

To provide for the appointment of two additional circuit judges for the ninth judicial circuit.

Ninth judicial circuit.
Appointment of two additional judges authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to appoint, by and with the consent of the Senate, two additional circuit judges for the ninth judicial circuit.

Approved, April 14, 1937.

[CHAPTER 95]

April 15, 1937
[S. 462]
[Public, No. 32]

AN ACT

To authorize any Government department to exchange used parts of certain types of equipment for new or reconditioned parts of the same equipment.

Government departments
Certain equipment exchanges permitted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any Government department is authorized to exchange used parts of mechanical refrigerators, hermetically sealed refrigerating units, temperature control devices, and watchmen's clocks as payment, in full or in part, for new or reconditioned parts to be used for the same purpose as those proposed to be exchanged.

Approved, April 15, 1937.

[CHAPTER 100]

April 15, 1937
[S. 1125]
[Public, No. 33]

AN ACT

To amend the Act entitled "An Act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Florida, and for other purposes", approved August 27, 1935, and for other purposes.

Anastasia Island Lighthouse Reservation, Fla.
Quitclaim deed of conveyance extended to heirs or assigns of holders of record title thereto.
49 Stat. 896.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Florida, and for other purposes", approved August 27, 1935, is amended (1) by inserting immediately after the words "holders of record title thereto" a comma and the following: "their heirs or assigns,"; and (2) by striking out "to Southern Real Estate Corporation, lots 4 to 7, block B, 3 to 7, block C, all of blocks D and E, Seaside Heights;".

SEC. 2. The Secretary of Commerce is authorized to convey by quitclaim deed to the city of Saint Augustine, Florida, to be used for public park purposes, that property authorized to be conveyed by such Act of August 27, 1935, to such Southern Real Estate Corporation, reserving unto the United States of America a perpetual easement for beams of light across any part of said lands that may be between the lighthouse and the sea.

Conveyance of portion to city of Saint Augustine for park purposes.

Easement reserved.

Approved, April 15, 1937.

[CHAPTER 101]

AN ACT

April 15, 1937
[S. 1442]
[Public, No. 34]

To enable Coast Guard officers to purchase articles of ordnance property for use in the public service in the same manner as such property may be purchased by officers of the Army, Navy, and Marine Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 3, 1909 (35 Stat. 732, 751; U. S. C., 1934 ed., title 34, sec. 540), is hereby amended by inserting in line 15 of page 751 of volume 35 of the Statutes at Large of the United States, after the words "Marine Corps", the words "and Coast Guard".

Coast Guard.
Sales of ordnance property extended to officers of.
35 Stat. 751.
34 U. S. C. § 540.

Approved, April 15, 1937.

[CHAPTER 102]

AN ACT

April 15, 1937
[S. 1470]
[Public, No. 35]

Authorizing and empowering the Secretary of the Treasury to sell the old post-office building at Oakland, California, and to convey to the city of Oakland portions of the site for street-widening purposes in accordance with the provisions of public Act approved August 26, 1935 (49 Stat. 800).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved April 11, 1936 (49 Stat. 1202), to amend the Act entitled "An Act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926, authorizing and empowering the Secretary of the Treasury to dispose of the old post-office building and to sell all of the site thereof at Oakland, California, is hereby amended by canceling the second sentence thereof and substituting the following: "The Secretary of the Treasury is hereby further authorized to sell the old post-office site situated at Broadway, Seventeenth, and Franklin Streets, in Oakland, California, at such time, for such price, and upon such terms and conditions as he may deem to be to the best interest of the United States, and to convey such property to the purchaser thereof by the usual quitclaim deed, the proceeds of said sale to be covered into the Treasury as miscellaneous receipts: *Provided*, That nothing herein shall prevent the Secretary of the Treasury from favorably considering an application of the city of Oakland for the conveyance to said city of such portion or portions of the site as the Secretary may agree are necessary for street-widening purposes in accordance with the provisions of public Act approved August 26, 1935 (49 Stat. 800; U. S. C., title 40, sec. 345b)."

Oakland, Calif.
Disposition of post office building and sale of site.
49 Stat. 1202; 44 Stat. 630.
40 U. S. C. § 341.

Proceeds of sale covered into Treasury.
Proviso.
Conveyance of portions of site to city.

49 Stat. 800.
40 U. S. C., Supp. II, § 345b.

Approved, April 15, 1937.

[CHAPTER 103]

AN ACT

For the relief of the State of Pennsylvania.

April 15, 1937
[S. 1684]
[Public, No 36]

Pennsylvania.
Issue of duplicate check to Treasurer of, in lieu of lost original.
R. S. § 3646.
31 U. S. C. § 528.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the chief disbursing officer of the Treasury Department is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check numbered 65451, symbol number 79088, drawn January 25, 1935, in favor of "State Treasurer of Pennsylvania, trust fund", for $11,315.93 and lost, stolen, or miscarried in the mails.

Approved, April 15, 1937.

[CHAPTER 104]

AN ACT

To provide special rates of postage on matter for the blind.

April 15, 1937
[H. R. 4286]
[Public, No. 37]

Postage on matter for the blind.
Special rates on certain publications provided.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That magazines, periodicals, and other regularly issued publications in raised characters, whether prepared by hand or printed, or on sound-reproduction records (for the use of the blind), which contain no advertisements, when furnished by an organization, institution, or association not conducted for private profit, to a blind person, at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof, under such regulations as the Postmaster General may prescribe.

Approved, April 15, 1937.

[CHAPTER 107]

AN ACT

To authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy.

April 16, 1937
[S. 1441]
[Public, No. 38]

U. S. Coast Guard Academy.
Appointment of heads of departments.

Original appointments, probationary period.

Proviso.
Appointment of certain instructors without examination.

Professors; rank, pay, and allowances.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized, by and with the advice and consent of the Senate to appoint not to exceed five professors to the United States Coast Guard as heads of the departments of instruction at the Coast Guard Academy. An original appointment as professor not made from a civilian instructor or regular commissioned officer in the United States Coast Guard shall be a temporary appointment; but a professor so appointed, after completion of a satisfactory probationary period of two years, may be regularly appointed as professor to rank from the date of his original appointment: *Provided*, That any person who has served as a civilian instructor in the Coast Guard Academy for fifteen years or more may be appointed to the office of professor in the Coast Guard Academy pursuant to this section without physical examination.

SEC. 2. A professor in the Coast Guard shall be a commissioned officer with rank not above that of commander and shall receive the pay and allowances of a commissioned officer of the same rank and length of service. When any such professor is commissioned with rank less than that of commander, he shall be promoted through the successive ranks to a rank not above that of commander under

such regulations as the President shall prescribe. A professor shall exercise command only in the academic department of the Coast Guard Academy.

Command limited.

SEC. 3. The Secretary of the Treasury is authorized to appoint in the Coast Guard, subject to the competitive provisions of the civil-service laws and regulations, not to exceed three civilian instructors, and the compensation of such appointees shall be fixed in accordance with the Classification Act of 1923, as amended.

Civilian instructors; appointment, pay, etc. 5 U. S. C. § 673.

SEC. 4. Service as a civilian instructor or professor at the Coast Guard Academy or as a commissioned officer in the Coast Guard (regular or temporary), rendered prior to an appointment as a professor pursuant to the provisions of this Act, shall be credited in computing length of service as a professor for purposes of pay and allowance.

Credit for prior service.

SEC. 5. Professors in the Coast Guard shall be on the same footing as to retirement from active service for any cause as other commissioned officers of the Coast Guard: *Provided*, That service as a civilian instructor or professor at the Coast Guard Academy or as a commissioned officer in the Coast Guard (regular or temporary), rendered prior to an appointment as a professor pursuant to the provisions of this Act, shall be credited in computing length of service for retirement purposes: *Provided further*, That the provisions of law relating to retirement for disability in line of duty shall not apply in the case of a professor until he shall have served fifteen years in the Coast Guard.

Retirement.

Provisos.
Service computation.

Retirement for disability; restriction.

SEC. 6. The Secretary of the Treasury is authorized to appoint an advisory committee of the Coast Guard Academy which shall consist of not to exceed five persons of distinction in the field of education who shall serve without pay. The members so appointed shall visit the Coast Guard Academy at least once during the academic year on the call of the chairman and may convene once each year at headquarters at the call of the commandant, for the purpose of examining the course of instruction and advising the Secretary of the Treasury relative thereto. The actual expenses of the members of the committee while engaged in these duties, including their actual expense of travel, shall be defrayed under Government travel regulations from any appropriation available for the authorized work of the United States Coast Guard.

Advisory committee; appointment, composition, etc.

Visits, meetings, expenses, etc.

SEC. 7. In addition to the advisory board there shall be appointed in January of each year a Board of Visitors to the Coast Guard, which shall consist of two Senators and three Members of the House of Representatives appointed by the chairmen of the committees of the Senate and the House of Representatives, respectively, having cognizance of legislation pertaining to the Coast Guard Academy. The chairmen of such committees shall be ex-officio members of the Board.

Congressional Board of Visitors.

(b) Such Board shall visit the Coast Guard Academy annually on a date to be fixed by the Secretary of the Treasury. Each member of the Board shall be reimbursed under Government travel regulations for the actual expense incurred by him while engaged upon duties as a member of such Board.

Annual visits to be made.
Reimbursement of members' expenses.

SEC. 8. Nothing in this Act shall be construed to prevent the Secretary of the Treasury from assigning any commissioned officer, chief warrant officer, warrant officer, or enlisted man to appropriate instruction duty at the Coast Guard Academy.

Assignment of officers, etc., to instruction duty.

SEC. 9. Any appropriation which is now or may hereafter be available for the payment of expenses for the authorized work of the Coast Guard shall be available to carry out the purposes of this Act.

Funds available for expenses.

Existing provision repealed.
34 Stat 453; 40 Stat. 640.
14 U. S. C. § 124.

SEC. 10. Section 4 of an Act entitled "An Act to promote the efficiency of the Revenue Cutter Service", approved June 23, 1906 (34 Stat. 453; U. S. C., 1934 ed., title 14, sec. 124), as amended by the Act of July 1, 1918 (40 Stat. 640), is hereby repealed, but such repeal shall not be construed to affect existing appointments: *Provided*,

Proviso.
Restriction on present appointees

That no appointee, appointed prior to the enactment of this Act, may be retained as an instructor in the Coast Guard Academy without appropriate civil-service status for a period longer than six months from the effective date of this Act.

Approved, April 16, 1937.

[CHAPTER 108]

AN ACT

April 17, 1937
[S. 1901]
[Public, No. 39]

To amend the last two provisos, section 26, Act of Congress approved March 3, 1921 (41 Stat. L. 1225–1248).

Quapaw Indians, Oklahoma.
State gross production tax on lead and zinc produced on lands of.
41 Stat. 1249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last two provisos in section 26 of the Act of Congress approved March 3, 1921 (41 Stat. L. 1225–1248), be, and the same are hereby, amended to read as follows: "That the State of Oklahoma is authorized, from and after the passage of this amendment, to levy and collect a gross production tax upon all lead and zinc produced on said lands in an amount not to exceed the present rate of three-fourths of 1 per centum on the gross value thereof. In accordance with the uniform policy of the United States Government to hold the lands of the Quapaw Indians while restricted and the income therefrom free from State taxation of whatsoever nature, except as said immunity is expressly waived, and, in pursuance of said fixed policy, it is herein

Exemption from other State taxes.

expressly provided that the waiver of tax immunity herein provided shall be in lieu of all other State taxes of whatsoever nature on said restricted lands or the income therefrom, and the Secretary of the Interior is hereby authorized and directed to cause to be paid out of the individual Indian funds held under his supervision, belonging to the Indian owner of the land, the gross production tax so assessed against the royalty interest of the respective Indian owner in an

Proviso.
Not a lien on property of Indian.

amount not to exceed the rate hereinabove set forth: *Provided, however*, That such tax shall not become a lien or charge of any kind or character against the land or other property of said Indian owner."

Approved, April 17, 1937.

[CHAPTER 109]

AN ACT

April 17, 1937
[S. 1473]
[Public, No. 40]

To authorize the Secretary of War to lend War Department equipment for use at the World Jamboree to the Boy Scouts of America; and to authorize the Commissioner of Internal Revenue to remit the tax on steamship tickets; and further to authorize the Secretary of State to issue passports to bona-fide Scouts and Scouters without fee for the application or the issuance of said passports.

Boy Scouts of America.
Loan of Army equipment to, for World Jamboree, in the Netherlands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the National Council, Boy Scouts of America, for use at the World Jamboree, Boy Scouts, to be held in the Netherlands, in the months of July and August 1937, one thousand two hundred cots, four thousand five hundred blankets, tentage for one thousand two hundred Scouts, twenty-five fire cranes, twenty-five sets commissary storage shelves, one hundred pot chains, one hundred cook pots, twenty-five United States parade-size flags, fifty fry pans, fifty bake

pans, fifty reflector ovens, two hundred water pails, two hundred and fifty tin serving pans, two hundred and fifty pitchers: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered at such time prior to the holding of the said convention as may be agreed upon by the Secretary of War and the National Council, Boy Scouts of America: *Provided further*, That the Secretary of War before delivering said property shall take from the said Boy Scouts of America a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States. That the Commissioner of Internal Revenue be, and he is hereby, authorized under such rules and regulations as he shall promulgate to remit the tax on steamship tickets to bona-fide Scouts and Scouters certified by the National Council, Boy Scouts of America, attending this Jamboree. That, under such regulations as he may prescribe, the Secretary of State be, and he is hereby, authorized to issue passports to bona-fide Scouts and Scouters of the Boy Scouts of America who are citizens of the United States or, if not citizens of the United States, who owe permanent allegiance to the United States upon certification by the National Council, Boy Scouts of America, as to their qualification to attend this Jamboree as representing the National Council, Boy Scouts of America, without fee for the application or the issuance of said passports.

Provisos.
No Federal expense for delivery, etc.

Bond.

Remission of tax on steamship tickets.

Issue of passports without fee.

Approved, April 17, 1937.

[CHAPTER 110]

AN ACT

April 17, 1937
[H. R. 157]
[Public, No. 41]

To amend an Act entitled "An Act to provide for vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes" (Public, Numbered 801, Seventieth Congress).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes", approved February 23, 1929 (Public, Numbered 801, Seventieth Congress), be, and it is hereby, amended by striking out "$15,000" wherever it appears and inserting in lieu thereof "$25,000, to be immediately available": *Provided*, That no such additional appropriation shall be available for expenditure except when matched by equal appropriations of District of Columbia funds, which are hereby authorized.

District of Columbia.
Additional annual appropriation for vocational rehabilitation, authorized.
45 Stat. 1260.
Post, p. 765.

Proviso.
Equal amount from District funds.

Approved, April 17, 1937.

[CHAPTER 111]

AN ACT

April 17, 1937
[H. R. 5293]
[Public, No. 42]

To authorize the acquisition of six hundred and forty acres of land for the use and benefit of the Santa Rosa Band of Mission Indians, State of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to purchase in the name of the United States of America in trust for the Santa Rosa Band of Mission Indians six hundred and forty acres of land described as section 36, township 7 south, range 4 east, San Bernardino meridian, California, and for that purpose there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of $500.

Santa Rosa Band of Mission Indians, California.
Acquisition of land for use of, authorized.

Appropriation authorized.
Post, p. 763.

Approved, April 17, 1937.

[CHAPTER 114]

AN ACT

April 20, 1937
[H. R. 5299]
[Public, No. 43]

To authorize the Secretary of the Interior to exchange certain lands and water rights in Inyo and Mono Counties, California, with the city of Los Angeles, and for other purposes.

Los Angeles, Calif. Exchange of certain lands and water rights with, for benefit of Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to accept title on behalf of the United States to lands and water rights now owned and held by the city of Los Angeles in the counties of Inyo and Mono, State of California, if, in his judgment, the interests of the Indians in said counties will be benefited thereby; and in consideration therefor the said Secretary may issue a patent or patents to the said city of Los Angeles for lands, water rights, and buildings now held by the United States for the benefit of the Indians, provided that the lands, water rights, and buildings covered by the patent or patents shall not exceed in value the lands and water rights conveyed by the said city of Los Angeles to the United States: *Provided*, That the said Secretary may reserve the minerals of the lands conveyed to the said city and the said Secretary is authorized to accept conveyance by the said city of the lands and water rights, subject to a similar reservation in the city of the minerals of such lands, and in determining the relative value of the lands and water rights to be exchanged, consideration shall be given to any reservation made by either or both parties of any minerals or easements in the lands that may be exchanged.

Proviso. Reservation of minerals and easements.

Exchange of lands covered by trust patent, etc.

SEC. 2. No allotted or other lands covered by trust patent or other instrument containing restriction against alienation by the allottee shall be involved in any such exchange except with the consent of the allottees or their heirs. Any such allottees or their heirs are hereby authorized to relinquish to the United States any lands covered by such patents or other instruments and accept in lieu thereof assignments of land within the new Indian reservations which are hereby authorized to be established by the Secretary of the Interior out of any lands accepted by him pursuant to section 1 hereof: *Provided*, That any such Indian may receive an area of equal value to the area of the allotment relinquished by him and receive similar title to that relinquished should any of the lands accepted by the said Secretary be outside of the boundaries of the new reservations.

Proviso. Indian to receive area of equal value.

No tribal lands involved except with consent.

SEC. 3. No tribal lands shall be involved in any such exchange except with the consent of a majority of the adult Indians entitled to the use thereof. All lands acquired pursuant to this Act, other than land to which title may be held by or in trust for individual Indians, shall be held by the United States in trust for the Indian tribe, band, or group concerned.

Approved, April 20, 1937.

[CHAPTER 121]

AN ACT

To amend the National Housing Act.

April 22, 1937
[S. 1228]
[Public, No. 44]

National Housing Act, amendment. 49 Stat. 1233. 12 U. S. C., Supp. II, § 1706a. Insurance of financial institutions, eligible for credit insurance, against loss; provisions extended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 6 of the National Housing Act, as amended, is amended to read as follows:

"(a) The Administrator is authorized and empowered, upon such terms and conditions as he may prescribe, to insure banks, trust companies, personal finance companies, mortgage companies, build-

ing and loan associations, installment lending companies, and other such financial institutions, heretofore or hereafter approved by the Administrator as eligible for credit insurance, against losses which they may sustain as a result of loans and advances of credit, and purchases of obligations representing loans and advances of credit, made by them subsequent to the date this section takes effect and prior to July 1, 1939, or such earlier date as the President may fix by proclamation upon his determination that the emergency no longer exists, for the purpose of financing, by the owners of real property or by lessees thereof under a lease for a period of not less than one year, the restoration, rehabilitation, rebuilding, and replacement of improvements on such real property and equipment and machinery thereon which were damaged or destroyed by earthquake, conflagration, tornado, cyclone, hurricane, flood, or other catastrophe in the years 1935, 1936, 1937, 1938, or 1939, either on the same site or on a new site in the same locality where the damaged or destroyed property was located. The Administrator is authorized to grant insurance under this section, as amended, to any such financial institution up to 20 per centum of the total amount of loans, advances of credit, and purchases made by such financial institution for such purposes, and any insurance reserve accumulated by any such financial institution under section 2 of this title shall be applicable to the payment of any losses sustained by it as a result of loans, advances of credit, or purchases insured under this section."

Financing rehabilitation of property damaged by catastrophe during years designated.

Maximum amount.

SEC. 2. The third sentence of subsection (a) of section 2 of the National Housing Act, as amended, is amended to read as follows: "The total liability incurred by the Administrator for all insurance heretofore and hereafter granted under this section and section 6, as amended, shall not exceed in the aggregate $100,000,000."

Limitation on liability.
49 Stat. 1234.

Approved, April 22, 1937.

[CHAPTER 122]

AN ACT

For payment of compensation to persons serving as postmaster at third- and fourth-class post offices.

April 22, 1937
[H. R. 77]
[Public, No. 45]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso, following the appropriation for compensation to postmasters, contained in the Act approved March 1, 1921 (41 Stat., p. 1151; U. S. C., title 39, sec. 39), is hereby amended by adding after the words "unnecessary delay" at the end thereof the following: "A person who, upon the occurrence of a vacancy and pending the appointment of a postmaster or the designation of an acting postmaster, assumes and properly performs the duties of postmaster at any third- or fourth-class post office shall be allowed compensation as postmaster for the period of such service: *Provided*, That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for compensation for service heretofore rendered, but subsequent to June 30, 1930, is hereby authorized and directed to allow compensation as postmaster for service rendered under the circumstances and conditions hereinbefore prescribed."

Postmasters, third- or fourth-class post offices.
Compensation for ad interim service.
41 Stat. 1151.
39 U. S. C. § 39.

Proviso.
Payment for service rendered since June 1930.

Approved, April 22, 1937.

[CHAPTER 123]

AN ACT

April 22, 1937
[H. R. 5551]
[Public, No. 46]

To reserve certain public domain in California for the benefit of the Capitan Grande Band of Mission Indians.

Capitan Grande Band of Mission Indians
Reservation of certain lands for benefit of.
47 Stat 146.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described public domain be, and it is hereby, withdrawn from entry, sale, or other disposition and set aside as an addition to the Barona Ranch, a tract of land purchased for the Capitan Grande Band of Mission Indians under authority contained in the Act of May 4, 1932 (47 Stat. L. 146): Lots 1 and 2 of section 23, township 14 south, range 1 east, San Bernardino meridian, California, containing twelve and nineteen one-hundredths acres: *Provided*, That said withdrawal shall not affect any valid rights initiated prior to approval hereof.

Proviso.
Prior rights not affected.

Approved, April 22, 1937.

[CHAPTER 125]

AN ACT

April 23, 1937
[H. R. 168]
[Public, No. 47]

To authorize an increase in the annual appropriation for books for the adult blind.

Books, etc., for the adult blind.
46 Stat. 1487; 49 Stat. 374.
2 U. S. C., Supp. II, § 135a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1, as amended, of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (U. S. C., 1934 ed., Supp. II, title 2, sec. 135a), is amended to read as follows:

Annual appropriation for, increased.

"That there is hereby authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, the sum of $275,000, which sum shall be expended under the direction of the Librarian of Congress to provide books published either in raised characters, on sound-reproduction records, or in any other form, for the use of the adult blind residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia: *Provided*, That of said annual appropriation of $275,000, not exceeding $100,000 thereof shall be expended for books in raised characters, and not exceeding $175,000 thereof shall be expended for sound-reproduction records."

Proviso.
Division of amount.

Applicability.

SEC. 2. This Act shall be applicable with respect to the fiscal year ending June 30, 1938, and for each fiscal year thereafter.

Approved, April 23, 1937.

[CHAPTER 127]

AN ACT

April 26, 1937
[H. R. 4985]
[Public, No. 48]

To regulate interstate commerce in bituminous coal, and for other purposes.

Bituminous Coal Act of 1937.
Declaration of policy and necessity of regulation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That regulation of the sale and distribution in interstate commerce of bituminous coal is imperative for the protection of such commerce; that there exist practices and methods of distribution and marketing of such coal that waste the coal resources of the Nation and disorganize, burden, and obstruct interstate commerce in bituminous coal, with the result that regulation of the prices thereof and of unfair methods of competition therein is necessary to promote interstate commerce in bituminous coal and to remove burdens and obstructions therefrom.

NATIONAL BITUMINOUS COAL COMMISSION

National Bituminous Coal Commission.
Establishment, composition, etc.
Post, p. 567.

SEC. 2. (a) There is hereby established in the Department of the Interior a National Bituminous Coal Commission (herein referred to as Commission), which shall be composed of seven members

appointed by the President, by and with the advice and consent of the Senate, for a term of four years. The Commission shall annually designate its chairman, and shall have a seal which shall be judicially recognized. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor in office. The Commission shall have an office in the city of Washington, District of Columbia, and shall convene at such times and places as the majority of the Commission shall determine. Two members of the Commission shall have been experienced bituminous coal mine workers, two shall have had previous experience as producers, but none of the members shall have any financial interest, direct or indirect, in the mining, transportation, or sale of, or manufacture of equipment for, coal (whether or not bituminous coal), oil, or gas, or in the generation, transmission, or sale of hydro-electric power, or in the manufacture of equipment for the use thereof, and shall not actively engage in any other business, vocation, or employment. Not more than one commissioner shall be a resident of any one State, and not more than one commissioner shall be a resident of any one of the districts hereinafter established, but a change in any of the boundaries of the districts, made by the Commission as hereinafter provided, shall not affect the tenure of office of any commissioner then serving. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. The Commission is authorized to appoint and fix the compensation and duties of a secretary and necessary professional, clerical, and other assistants. With the exception of the secretary, a clerk to each commissioner, the attorneys, the managers and employees of the statistical bureaus hereinafter provided for, and such special agents, technical experts, and examiners as the Commission may require, all employees of the Commission shall be appointed and their compensation fixed in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended. No person appointed without regard to the provisions of the civil-service laws shall be related to any member of the Commission by marriage or within the third degree by blood. The Commission is authorized to accept and utilize voluntary and uncompensated services of any person or of any official of a State or political subdivision thereof. The members of the Commission shall each receive compensation at the rate of $10,000 per year and necessary traveling expenses. Such Commission shall have the power to make and promulgate all reasonable rules and regulations for carrying out the provisions of this Act and shall annually make full report of its activities to the Secretary of the Interior for transmission to Congress. A majority of the Commission shall constitute a quorum for the transaction of business, and a vacancy in the Commission shall not impair the right of the remaining members to exercise all the power of the Commission. No order which is subject to judicial review under section 6, and no rule or regulation which has the force and effect of law, shall be made or prescribed by the Commission, unless it has given reasonable public notice of a hearing, and unless it has afforded to interested parties an opportunity to be heard, and unless it has made findings of fact. Such findings, if supported by substantial evidence shall be conclusive upon review thereof by any court of the United States. The Commission may establish divisions, each of which divisions shall consist of not less than three of its members, as it may deem necessary for the proper dispatch of its business. Each such division shall exercise all the powers and authority of the Commission in the premises: *Provided*, That any person in interest may, upon written petition, secure a review by the Commission of the report, finding, or order

Chairman; official seal.

Vacancies.

Principal office.

Qualifications of members.

Geographical limitations

Removal

Secretary and other personnel.

5 U. S. C. §§ 631–652, 661–674.

Kinship provisions.

Voluntary, etc., services.

Member's compensation.

Administrative rules, etc.

Quorum

Orders subject to judicial review or rules having effect of law.
Post, p. 85.

Establishment of divisions; powers, etc.

Proviso.
Review upon written petition.

Reference to an individual Commissioner, etc.

Powers.

Contracts for personal services.

of such division. The Commission may by its order assign or refer any matter within its jurisdiction under this Act to an individual Commissioner, to a board composed of employees of the Commission, or to an examiner, to be designated by such order, for hearing and the recommendation of an appropriate order in the premises. Each individual Commissioner, board, or examiner, when so directed by order of the Commission, shall have power to administer oaths and affirmations, to examine witnesses, and receive evidence. The Commission is authorized to make contracts for personal services in the District of Columbia and elsewhere and to establish and maintain such offices throughout the United States as it deems necessary for the effective administration of this Act, but shall maintain its principal office in the District of Columbia.

Researches for improving standards and methods.

The Commission is hereby authorized to initiate, promote, and conduct research designed to improve standards and methods used in the mining, preparation, conservation, distribution, and utilization of coal and the discovery of additional uses for coal, and for such purposes shall have authority to assist educational, governmental, and other research institutions in conducting research in coal, and to do such other acts and things as it deems necessary and proper to promote the use of coal and its derivatives.

Office of Consumers' Counsel established.

Appointment of counsel

Financial, business, etc., restrictions.

(b) (1) There is hereby established an office in the Department of the Interior to be known as the office of the consumers' counsel of the National Bituminous Coal Commission. The office shall be in charge of a counsel to be appointed by the President, by and with the advice and consent of the Senate. The counsel shall have no financial interest, direct or indirect, in the mining, transportation, or sale of, or the manufacture of equipment for, coal (whether or not bituminous coal), oil, or gas, or in the generation, transmission, or sale of hydroelectric power, or in the manufacture of equipment for the use thereof, and shall not actively engage in any other business, vocation, or employment. The counsel shall receive compensation, at the rate of $10,000 per year and necessary traveling expenses.

Compensation and expenses.

Duties of counsel.

(2) It shall be the duty of the counsel to appear in the interest of the consuming public in any proceeding before the Commission and to conduct such independent investigation of matters relative to the coal industry and the administration of this Act as he may deem necessary to enable him properly to represent the consuming public in any proceeding before the Commission. In any such proceeding before the Commission, the counsel shall have the right to offer any relevant testimony and argument, oral or written, and to examine and cross-examine witnesses and parties to the proceeding, and shall have the right to have subpena or other process of the Commission issue in his behalf. Whenever the counsel finds that it is in the interest of the consuming public to have the Commission furnish any information at its command or conduct any investigation as to any matter within its authority, the counsel shall so certify to the Commission, specifying in the certificate the information or investigation desired. Thereupon the Commission shall promptly furnish to the counsel the information or promptly conduct the investigation and place the results thereof at the disposal of the counsel.

Rights before Commission.

Information to be furnished.

Technical, clerical, etc., assistants.

(3) The counsel is authorized to appoint and fix the compensation and duties of necessary professional, clerical, and other assistants. With the exception of a clerk to the counsel, the attorneys, and such special agents and experts as the counsel may from time to time find necessary for the conduct of his work, all employees of the counsel shall be appointed and their compensation fixed in accordance with the civil-service laws and the Classification Act of 1923, as amended.

The counsel is authorized to make such expenditures as may be necessary for the performance of the duties vested in him. Expenditures authorized

(4) The counsel shall annually make a full report of the activities of his office directly to the Congress. Annual report to Congress.

TAX ON COAL

Tax on coal.

SEC. 3. (a) There is hereby imposed upon the sale or other disposal of bituminous coal produced within the United States when sold or otherwise disposed of by the producer thereof an excise tax of 1 cent per ton of two thousand pounds. Levy on bituminous, sold by producer

The term "disposal" as used in this section includes consumption or use (whether in the production of coke or fuel, or otherwise) by a producer, and any transfer of title by the producer other than by sale. "Disposal" defined

(b) In addition to the tax imposed by subsection (a) of this section, there is hereby imposed upon the sale or other disposal of bituminous coal produced within the United States, when sold or otherwise disposed of by the producer thereof, which would be subject to the application of the conditions and provisions of the code provided for in section 4, or of the provisions of section 4–A, an excise tax in an amount equal to 19½ per centum of the sale price at the mine in the case of coal disposed of by sale at the mine, or in the case of coal disposed of otherwise than by sale at the mine, and coal sold otherwise than through an arms' length transaction, 19½ per centum of the fair market value of such coal at the time of such disposal or sale. In the case of any producer who is a code member as provided in section 4 and is so certified to the Commissioner of Internal Revenue by the Commission, the sale or disposal by such producer during the continuance of his membership in the code of coal produced by him shall be exempt from the tax imposed by this subsection. Additional, coal subject to code. Tax exemption, code members.

(c) The taxes imposed by this section shall be paid to the United States by the producer, and shall be payable monthly for each calendar month on or before the first business day of the second succeeding month, under such regulations and in such manner as shall be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Payments.

(d) In the case of coal disposed of otherwise than by sale at the mine, and coal sold otherwise than through an arms' length transaction, the Commissioner of Internal Revenue shall determine the market value thereof. Such market value shall equal the current market price at the mine of coal of a comparable kind, quality, and size produced for market in the locality where the coal so disposed of is produced. Coal disposed of other than by sale at the mine, etc.; determining market value.

(e) The tax imposed by subsection (a) of this section shall not apply in the case of a sale of coal for the exclusive use of the United States or of any State or Territory of the United States or the District of Columbia, or any political subdivision of any of them, for use in the performance of governmental functions. Under regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, a credit against the tax imposed by subsection (a) of this section or a refund may be allowed or made to any producer of coal in the amount of such tax paid with respect to the sale of coal to any vendee, if the producer has in his possession such evidence as the regulations may prescribe that such coal was resold by any person for the exclusive use of the United States or of any State, Territory of the United States, or the District of Columbia, or any political subdivision United States or political subdivision thereof. Sales to be tax exempt if for sole use of. Credits herein, allowed producer's vendee.

of any of them, for use in the performance of governmental functions.

Right of producer to contest code provisions.

(f) No producer shall, by reason of his acceptance of the code provided for in section 4, or of the exemption from the tax provided in subsection (b) in this section, be held to be precluded or estopped from contesting the constitutionality of any provision of this Act or of the code, or the validity or application of either to him or to any part of the coal produced by him.

Bituminous coal code.

BITUMINOUS COAL CODE

Commission to promulgate provisions.

SEC. 4. The provisions of this section shall be promulgated by the Commission as the "Bituminous Coal Code", and are herein referred to as the code.

Code members construed.

Producers accepting membership in the code as provided in section 5 (a) shall be, and are herein referred to as, code members, and the provisions of such code shall apply only to such code members, except as otherwise provided by subsection (h) of part II of this section.

Conditions, provisions, and obligations.

For the purpose of carrying out the declared policy of this Act, the code shall contain the following conditions and provisions, which are intended to regulate interstate commerce in bituminous coal and which shall be applicable only to matters and transactions in or directly affecting interstate commerce in bituminous coal:

Organization.

PART I—ORGANIZATION

District boards of code members; number.

Board membership.

(a) Twenty-three district boards of code members shall be organized. Each district board shall consist of not less than three nor more than seventeen members. The number of members of the district board shall, subject to the approval of the Commission, be determined by the majority vote of the district tonnage during the calendar year 1936 represented at a meeting of the code members of the district called for the purpose of such determination and for the election of such district board; and all code members within the district shall be given notice of the time and place of the meeting. All but one of the members of the district board shall be code members or representatives of code members truly representative of all the mines of the district. The number of such producer members shall be an even number. One-half of such producer members shall be elected by the majority in number of the code members of the district represented at the aforesaid meeting. The other producer members shall be elected by votes cast in the proportion of the annual tonnage output of the code members in the district, for the calendar year preceding the date of the election: *Provided*, That not more than one officer or employee of any code member within a district shall be a member of the district board at the same time. The remaining member of each district board shall be selected by the organization of employees representing the preponderant number of employees in the industry of the district in question. The term of district board members shall be two years and until their successors are elected. The Commission shall have power to remove any member of any district board upon its finding, after due notice and hearing, that said member is guilty of inefficiency, willful neglect of duty, or malfeasance in office.

Notice of meeting.

District board, composition, etc.

Elections.

Proviso. Restriction.

Employee representative.

Term of board members.

Removals.

Powers of district boards.

The district boards shall have power to adopt bylaws and rules of procedure, subject to approval of the Commission, and to appoint officers from within or without their own membership, to fix their terms and compensation, to provide for reports, and to employ such committees, employees, arbitrators, and other persons necessary to

effectuate their purposes. Members of the district board shall serve, as such, without compensation but may be reimbursed for their reasonable expenses. The territorial boundaries or limits of the twenty-three districts are set forth in the schedule entitled "Schedule of Districts" and annexed to this Act.

Service without compensation; expenses allowed.

Territorial boundaries of districts. *Post*, p. 91.

Whenever the Commission upon investigation instituted upon its own motion or upon petition of any code member, district board, State or political subdivision thereof, or the consumers' counsel, after hearing finds that the territorial boundaries or limits of any district or minimum-price area are such as to make it substantially impracticable to establish minimum prices in accordance with all the standards set forth in subsections (a) and (b) of part II of this section, and that a change in such territorial boundaries or limits or a division or consolidation of such districts or minimum-price areas would render the establishment of minimum prices in accordance with all such standards more practicable, it shall by order make such changes, divisions, and consolidations as it finds will substantially aid in such establishment of minimum prices.

Limits of a district or minimum price area.

Changes, consolidations, etc.

(b) The expense of administering the code by the respective district boards shall be borne by the code members in the respective districts, each paying his proportionate share, as assessed, computed on a tonnage basis, in accordance with regulations prescribed by such boards with the approval of the Commission. Such assessments may be collected by the district board by action in any court of competent jurisdiction.

Code administration expenses.

Collection of assessments.

(c) Nothing contained in this Act shall constitute the members of a district board partners for any purpose. Nor shall any member of a district board or officer thereof be liable in any manner to anyone for any act of any other member, officer, agent, or employee of the district board. Nor shall any member or officer of a district board, exercising reasonable diligence in the conduct of his duties under this Act, be liable to anyone for any action or omission to act under this Act except for his own willful misfeasance or for nonfeasance involving moral turpitude.

Liability of board members.

(d) No action complying with the provisions of this section taken while this Act is in effect, or within sixty days thereafter, by any code member or by any district board, or officer thereof, shall be construed to be within the prohibitions of the antitrust laws of the United States.

Antitrust laws not to apply to actions complying with code.

PART II—MARKETING

Marketing.

The Commission shall have power to prescribe for code members minimum and maximum prices, and marketing rules and regulations, as follows:

Minimum and maximum prices, etc.

(a) All code members shall report all spot orders to such statistical bureau hereinafter provided for as may be designated by the Commission and shall file with it copies of all contracts for the sale of coal, copies of all invoices, copies of all credit memoranda, and such other information concerning the preparation, cost, sale, and distribution of coal as the Commission may authorize or require. All such records shall be held by the statistical bureau as the confidential records of the code member filing such information.

Reports and records by code members.

Confidential nature of records.

For each district there shall be established by the Commission a statistical bureau which shall be operated and maintained as an agency of the Commission. Each statistical bureau shall be under the direction of a manager, who shall be appointed by the Commission. No producer, employee, or representative of a producer, and, except as the Commission may specifically approve, no member of a

Statistical bureaus; establishment, operation, etc.

district board or employee or representative thereof shall be an employee of any statistical bureau.

Minimum price proposals.

Each district board shall, from time to time on its own motion or when directed by the Commission, propose minimum prices free on board transportation facilities at the mines for kinds, qualities, and sizes of coal produced in said district, and classification of coal and price variations as to mines, consuming market areas, values as to uses and seasonal demand. Said prices shall be proposed so as to yield a return per net ton for each district in a minimum price area, as such districts are identified and such area is defined in the subjoined table designated "minimum-price-area table", equal as nearly as may be to the weighted average of the total costs, per net ton, determined as hereinafter provided, of the tonnage of such minimum price area. The computation of the total costs shall include the cost of labor, supplies, power, taxes, insurance, workmen's compensation, royalties, depreciation and depletion (as determined by the Bureau of Internal Revenue in the computation of the Federal income tax) and all other direct expenses of production, coal operators' association dues, district board assessments for Board operating expenses only levied under the code, and reasonable costs of selling and the cost of administration.

Computation of total costs.

Minimum-price-area table.

MINIMUM-PRICE-AREA TABLE

Enumeration.

Area 1: Eastern Pennsylvania, district 1; western Pennsylvania, district 2; northern West Virginia, district 3; Ohio, district 4; Michigan, district 5; Panhandle, district 6; Southern numbered 1, district 7; Southern numbered 2, district 8; that part of Southeastern district 13, comprising Van Buren, Warren, and McMinn Counties in Tennessee.

Area 2: West Kentucky, district 9; Illinois, district 10; Indiana, district 11; Iowa, district 12.

Area 3: Southeastern, district 13, except Van Buren, Warren, and McMinn Counties in Tennessee.

Area 4: Arkansas-Oklahoma, district 14.

Area 5: Southwestern, district 15.

Area 6: Northern Colorado, district 16; southern Colorado, district 17; New Mexico, district 18.

Area 7: Wyoming, district 19; Utah, district 20.

Area 8: North Dakota and South Dakota, district 21.

Area 9: Montana, district 22.

Area 10: Washington and Alaska, district 23.

Factors in determining minimum prices.

The minimum prices so proposed shall reflect, as nearly as possible, the relative market value of the various kinds, qualities, and sizes of coal, shall be just and equitable as between producers within the district, and shall have due regard to the interests of the consuming public. The procedure for proposal of minimum prices shall be in accordance with rules and regulations to be approved by the Commission.

Submission of schedule of proposed prices to Commission.

A schedule of such proposed minimum prices, together with the data upon which they are computed, including, but without limitation, the factors considered in determining the price relationship, shall be submitted by the district board to the Commission, which may approve, disapprove, or modify such proposed minimum prices to conform to the requirements of this subsection, which shall serve as the basis for the coordination provided for in the succeeding subsection (b): *Provided*, That all minimum prices proposed for any kind, quality, or size of coal for shipment into any consuming market area shall be just and equitable as between producers within the dis-

Provisos.
Requirements of minimum prices.

trict: *And provided further*, That no minimum price shall be proposed that permits dumping.

Antidumping provision.

As soon as possible after its creation, each district board shall determine, from cost data submitted by the proper statistical bureau of the Commission, the weighted average of the total costs of the ascertainable tonnage produced in the district in the calendar year 1936. The district board shall adjust the average costs so determined, as may be necessary to give effect to any changes in wage rates, hours of employment, or other factors substantially affecting costs, exclusive of seasonal changes, so as to reflect as accurately as possible any change or changes which may have been established since January 1, 1936. Such determination and the computations upon which it is based shall be promptly submitted to the Commission by each district board in the respective minimum-price area. The Commission shall thereupon determine the weighted average of the total costs of the tonnage for each minimum-price area in the calendar year 1936, adjusted as aforesaid, and transmit it to all the district boards within such minimum-price area. Said weighted average of the total costs shall be taken as the basis, to be effective until changed by the Commission, for the proposal and establishment of minimum prices. Thereafter, upon satisfactory proof made at any time by any district board of a change in excess of 2 cents per net ton of two thousand pounds in the weighted average of the total costs in the minimum-price area, exclusive of seasonal changes, the Commission shall increase or decrease the minimum prices accordingly. The weighted average figures of total cost determined as aforesaid shall be available to the public.

Determination of costs of tonnage produced in 1936, by district boards

Adjustments to reflect changes.

Submission of determination to Commission

Determination of weighted average of total costs.

Use as basis in establishing minimum prices.

Changes.

Availability of figures.

Each district board shall, on its own motion or when directed by the Commission, propose reasonable rules and regulations incidental to the sale and distribution, by code members within the district, of coal. Such rules and regulations shall not be inconsistent with the requirements of this section and shall conform to the standards of fair competition hereinafter established. Such rules and regulations shall be submitted by the district board to the Commission with a statement of the reasons therefor, and the Commission may approve, disapprove, or modify the same, for the purpose of coordination.

Rules respecting sale and distribution

Action by Commission.

(b) District boards shall, under rules and regulations established by the Commission, coordinate in common consuming market areas upon a fair competitive basis the minimum prices and the rules and regulations proposed by them, respectively, under subsection (a) hereof. Such coordination, among other factors, but without limitation, shall take into account the various kinds, qualities, and sizes of coal, and transportation charges upon coal. All minimum prices proposed for any kind, quality, or size of coal for shipment into any common consuming market area shall be just and equitable, and not unduly prejudicial or preferential, as between and among districts, shall reflect, as nearly as possible, the relative market values, at points of delivery in each common consuming market area, of the various kinds, qualities, and sizes of coal produced in the various districts, taking into account values as to uses, seasonal demand, transportation methods and charges and their effect upon a reasonable opportunity to compete on a fair basis, and the competitive relationships between coal and other forms of fuel and energy; and shall preserve as nearly as may be existing fair competitive opportunities. The minimum prices proposed as a result of such coordination shall not, as to any district, reduce or increase the return per net ton upon all the coal produced therein below or above the minimum return as provided in subsection (a) of this section by an amount greater than necessary to accomplish

Coordination of minimum prices and rules in market areas.

Requirements of minimum prices.

Effect of coordinated minimum prices.

such coordination, to the end that the return per net ton upon the entire tonnage of the minimum price area shall approximate the weighted average of the total cost per net ton of the tonnage of such minimum price area. Such coordinated prices and rules and regulations, together with the data upon which they are predicated, shall be submitted to the Commission. The Commission shall thereupon establish, and from time to time, upon complaint or upon its own motion, review and revise the effective minimum prices and rules and regulations in accordance with the standards set forth in subsections (a) and (b) of part II of this section.

Submission to Commission.

Establishment of minimum prices and rules and regulations.

(c) When, in the public interest, the Commission deems it necessary to establish maximum prices for coal in order to protect the consumer of coal against unreasonably high prices therefor, the Commission shall have the power to establish maximum prices free on board transportation facilities for coal in any district. Such maximum prices shall be established at a uniform increase above the minimum prices in effect within the district at the time, so that in the aggregate the maximum prices shall yield a reasonable return above the weighted average total cost of the district: *Provided*, That no maximum price shall be established for any mine which shall not yield a fair return on the fair value of the property.

Maximum prices; establishment by Commission to protect consumer

Proviso Maintenance of fair return.

(d) If any code member or district board or member thereof, or any State or political subdivision of a State, or the consumers' counsel, shall be dissatisfied with such coordination of prices or rules and regulations, or by a failure to establish such coordination of prices or rules and regulations, or by any minimum or maximum prices established pursuant to subsections (b) or (c) of part II of this section, he or it shall have the right, by petition, to make complaint to the Commission, and the Commission shall, under rules and regulations established by it, and after notice and hearing, make such order as may be required to effectuate the purpose of subsections (b) and (c) of part II of this section. Pending final disposition of such petition, and upon reasonable showing of necessity therefor, the Commission may make such preliminary or temporary order as in its judgment may be appropriate, and not inconsistent with the provisions of this Act.

Complaints by code member, district board, etc.

Notice and hearing.

Preliminary or temporary orders.

(e) No coal subject to the provisions of this section shall be sold or delivered or offered for sale at a price below the minimum or above the maximum therefor established by the Commission, and the sale or delivery or offer for sale of coal at a price below such minimum or above such maximum shall constitute a violation of the code: *Provided*, That the provisions of this paragraph shall not apply to a lawful and bona fide written contract entered into prior to June 16, 1933.

Code prices, prohibition on sales below minimum or above maximum.

Proviso. Contracts prior to June 16, 1933.

The making of a contract for the sale of coal at a price below the minimum or above the maximum therefor established by the Commission at the time of the making of the contract shall constitute a violation of the code, and such contract shall be invalid and unenforceable.

Unenforceable, etc., contracts.

From and after the date of approval of this Act, until prices shall have been established pursuant to subsections (a) and (b) of part II of this section, no contract for the sale of coal shall be made providing for delivery for a period longer than thirty days from the date of the contract.

Restriction on contracts until prices established.

No contract shall be made for the sale of coal for delivery after the expiration date of this Act at a price below the minimum or above the maximum therefor established by the Commission and in effect at the time of making the contract.

Sale below minimum or above maximum price prohibited.

The minimum prices established in accordance with the provisions of this section shall not apply to coal sold and shipped outside the domestic market. The domestic market shall include all points within the continental United States and Canada, and car-ferry shipments to the island of Cuba. Bunker coal delivered to steamships for consumption thereon shall be regarded as shipped within the domestic market. Maximum prices established in accordance with the provisions of this section shall not apply to coal sold and shipped outside the continental United States.

Coal shipped outside domestic market exempt.

Area included.

Bunker coal

Shipments outside continental United States.

(f) All data, reports, and other information in the possession of any agency of the United States in relation to coal shall be available to the Commission and to the office of the consumers' counsel for the administration of this Act.

Availability of information.

(g) The price provisions of this Act shall not be evaded or violated by or through the use of docks or other storage facilities or transportation facilities, or by or through the use of subsidiaries, affiliated sales or transportation companies or other intermediaries or instrumentalities, or by or through the absorption, directly or indirectly, of any transportation or incidental charge of whatsoever kind or character, or any part thereof. The Commission is hereby authorized, after investigation and hearing, and upon notice to the interested parties, to make and issue rules and regulations to make this subsection effective.

Price provision evasion prohibited.

Administrative rules, etc.

(h) The Commission shall, by order, prescribe due and reasonable maximum discounts or price allowances that may be made by code members to persons (whether or not code members), herein referred to as "distributors", who purchase coal for resale and resell it in not less than cargo or railroad carload lots; and shall require the maintenance and observance by such persons, in the resale of such coal, of the prices and marketing rules and regulations established under this section.

Resales in cargo or carload lots.

UNFAIR METHODS OF COMPETITION

Unfair methods of competition.

(i) The following practices with respect to coal shall be unfair methods of competition and shall constitute violations of the code:

Specified practices deemed code violations.

1. The consignment of unordered coal, or the forwarding of coal which has not actually been sold, consigned to the producer or his agent: *Provided, however*, That coal which has not actually been sold may be forwarded, consigned to the producer or his agent at rail or track yards, tidewater ports, river ports, or lake ports, or docks beyond such ports, when for application to any of the following classes: Bunker coal, coal applicable against existing contracts, coal for storage (other than in railroad cars) by the producer or his agent in rail or track yards or on docks, wharves, or other yards for resale by the producer or his agent.

Consignment of unordered coal.

Proviso.
Exception.

2. The adjustment of claims with purchasers of coal in such manner as to grant secret allowances, secret rebates, or secret concessions, or other price discrimination.

Secret concessions, etc.

3. The prepayment of freight charges with intent to or having the effect of granting a discriminatory credit allowance.

Prepaying freight charges resulting in discriminatory credit allowance.

4. The granting in any form of adjustments, allowances, discounts, credits, or refunds to purchasers or sellers of coal, for the purposes or with the effect of altering retroactively a price previously agreed upon, in such manner as to create price discrimination.

Price discriminations.

5. The predating or postdating of any invoice or contract for the purchase or sale of coal, except to conform to a bona-fide agreement for the purchase or sale entered into on the predate.

Predating or postdating invoices.

Discriminatory payments, etc.

6. The payment or allowance in any form or by any device of rebates, refunds, credits, or unearned discounts, or the extension to certain purchasers of services or privileges not extended to all purchasers under like terms and conditions, or under similar circumstances.

Bribery, etc.

7. The attempt to purchase business, or to obtain information concerning a competitor's business by concession, gifts, or bribes.

Misrepresenting character, etc., of coal.

8. The intentional misrepresentation of any analysis or of analyses, or of sizes, or the intentional making, causing, or permitting to be made, or publishing, of any false, untrue, misleading, or deceptive statement by way of advertising, invoicing, or otherwise concerning the size, quality, character, nature, preparation, or origin of any coal bought, sold, or consigned.

Unauthorized use of competitor's trade marks, etc.

9. The unauthorized use, whether in written or oral form, of trademarks, trade names, slogans, or advertising matter already adopted by a competitor, or any deceptive approximation thereof.

Inducing breach of competitor's contract.

10. Inducing or attempting to induce, by any means or device whatsoever, a breach of contract between a competitor and his customer during the term of such contract.

Splitting commissions, etc.

11. Splitting or dividing commissions, brokers' fees, or brokerage discounts, or otherwise in any manner directly or indirectly using brokerage commissions or jobbers' arrangements or sales agencies for making discounts, allowances, or rebates, or prices other than those determined under this Act, to any industrial consumer or to any retailers, or to others, whether of a like or different class.

Selling to agent of retailer or industrial consumer, etc.

12. Selling to, or through, any broker, jobber, commission account, or sales agency, which is in fact or in effect an agency or an instrumentality of a retailer or an industrial consumer or of an organization of retailers or industrial consumers, whereby they are [1] any of them secure either directly or indirectly a discount, dividend, allowance, or rebates, or a price other than that determined in the manner prescribed by this Act.

Compensation obviously disproportionate to services rendered.

13. Employing any person or appointing any sales agent, at a compensation obviously disproportionate to the ordinary value of the service or services rendered, and whose employment or appointment is made with the primary intention and purpose of securing preferment with a purchaser or purchasers of coal.

Sales through farmers' cooperative organizations.

It shall not be an unfair method of competition or a violation of the code or any requirement of this Act (1) to sell to or through any bona-fide and legitimate farmers' cooperative organization duly organized under the laws of any State, Territory, the District of Columbia, or the United States whether or not such organization grants rebates, discounts, patronage dividends, or other similar benefits to its members; (2) to sell through any intervening agency to any such cooperative organization; or (3) to pay or allow to any such cooperative organization or to any such intervening agency any discount, commission, rebate, or dividend ordinarily paid or allowed, or permitted by the code to be paid or allowed, to other purchasers for purchases in wholesale or middleman quantities.

Sales through an intervening, etc., agency.
Rebates for purchases in wholesale, etc, quantities.

Jurisdiction of Commission over code violations.

(j) The Commission shall have jurisdiction to hear and determine written complaints made by any code member, district board, or member thereof, State or political subdivision of a State, or the consumers' counsel, which charge any violation of the code specified in part II of this section. It shall make and publish rules and regulations for the consideration and hearing of any such complaint, and all interested parties shall be required to conform thereto. The Commission shall make due effort toward adjustment of such complaints and shall endeavor to compose the differences of the parties, and

Rules respecting hearings.

Adjustments.

[1] So in original.

shall make such order or orders in the premises, from time to time, as the facts and the circumstances warrant. Any such order shall be subject to review as are other orders of the Commission.

Review of orders

(k) In the investigation of any complaint or violation of the code, or of any rule or regulation the observance of which is required under the terms thereof, the Commission shall have power by order to require such reports from, and shall be given access to inspect the books and records of, code members to the extent deemed necessary for the purpose of determining the complaint. Any such order shall be subject to review as are other orders of the Commission.

Reports, etc., required.

Review of orders

(l) The provisions of this section shall not apply to coal consumed by the producer or to coal transported by the producer to himself for consumption by him.

Coal consumed by producer.

SEC. 4–A. Whenever the Commission upon investigation instituted upon its own motion or upon petition of any code member, district board, State or political subdivision thereof, or the consumers' counsel, after hearing finds that transactions in coal in intrastate commerce by any person or in any locality cause any undue or unreasonable advantage, preference, or prejudice as between persons and localities in such commerce on the one hand and interstate commerce in coal on the other hand, or any undue, unreasonable, or unjust discrimination against interstate commerce in coal, or in any manner directly affect interstate commerce in coal, the Commission shall by order so declare and thereafter coal sold, delivered or offered for sale in such intrastate commerce shall be subject to the provisions of section 4.

Transactions in intrastate commerce affecting interstate commerce, subject to code.

Any producer believing that any commerce in coal is not subject to the provisions of section 4 or to the provisions of the first paragraph of this section may file with the Commission an application, verified by oath or affirmation for exemption, setting forth the facts upon which such claim is based. The filing of such application in good faith shall exempt the applicant, beginning with the third day following the filing of the application, from any obligation, duty, or liability imposed by section 4 with respect to the commerce covered by the application until such time as the Commission shall act upon the application. If the Commission has reason to believe that such exemption during the period prior to action upon the application is likely to permit evasion of the Act with respect to commerce in coal properly subject to the provisions of section 4 or of the first paragraph of this section, it may suspend the exemption for a period not to exceed ten days. Within a reasonable time after the receipt of any application for exemption the Commission shall enter an order granting, or, after notice and opportunity for hearing, denying or otherwise disposing of such application. As a condition to the entry of and as a part of any order granting such application, the Commission may require the applicant to apply periodically for renewals of such order and to file such periodic reports as the Commission may find necessary or appropriate to enable it to determine whether the conditions supporting the exemption continue to exist. Any applicant aggrieved by an order denying or otherwise disposing of an application for exemption by the Commission may obtain a review of such order in the manner provided in subsection (b) of section 6.

Exemptions.

Application.

Suspension of exemption if likely to permit evasion of Act.

Ruling subject to review.

ORGANIZATION OF THE CODE

Organization of the code.

SEC. 5 (a) Upon the appointment of the Commission it shall at once promulgate said code and assist in the organization of the district boards as provided for in section 4, and shall prepare and

Commission to promulgate code and assist in organizing district boards.

supply to all coal producers forms of acceptance for membership therein. Such forms of acceptances, when executed, shall be acknowledged before any official authorized to take acknowledgments.

Revocation of code membership and right to tax exemption.

(b) The membership of any such coal producer in such code and his right to an exemption from the taxes imposed by section 3 (b) of this Act, may be revoked by the Commission upon written complaint by any code member or district board, or any State or political subdivision of a State, or the consumers' counsel, after a hearing, with thirty days' written notice to the member, upon proof that such member has willfully violated any provision of the code or any regulation made thereunder; and in such a hearing any code member or district board, or any State or political subdivision of a State, or the consumers' counsel, or any consumer or employee, and the Commissioner of Internal Revenue, shall be entitled to present evidence and be heard: *Provided*, That the Commission, in its discretion, may in such case make an order directing the code member to cease and desist from violations of the code and regulations made thereunder and upon failure of the code member to comply with such order the Commission may apply to a circuit court of appeals to enforce such order in accordance with the provisions of subsection (c) of section 6 or may reopen the case upon ten days' notice to the code member affected and proceed in the hearing thereof as above provided.

Hearing.

Proviso.
Cease and desist orders.

Enforcement.

Record of proceedings, etc.

The Commission shall keep a record of the evidence heard by it in any proceeding to cancel or revoke the membership of any code member and its findings of fact, if supported by substantial evidence, shall be conclusive upon any proceeding to review the action and order of the Commission in any court of the United States.

Findings, upon revoking membership.

In making an order revoking membership in the code as in this subsection provided, the Commission shall specifically find (1) the day or days on which the violations occurred; (2) the quantity of coal sold or otherwise disposed of in violation of the code or regulations thereunder; (3) the sales price at the mine or the market value at the mine if disposed of otherwise than by sale at the mine, or if sold otherwise than through an arms' length transaction, of the coal sold or otherwise disposed of by such code member in violation of the code or regulations thereunder; (4) the minimum price established by the Commission for such coal and in effect at the time of such sale or other disposal; (5) the amount of tax required to be paid by the code member as a condition to reinstatement to membership in the code as in subsection (c) hereof provided.

Restoration to membership.

(c) Any producer whose membership in the code and whose right to an exemption from the tax imposed by section 3 (b) of this Act shall have been revoked and canceled may apply to the Commission and shall have the right to have his membership in the code restored upon payment by him to the United States of double the amount of the tax provided in section 3 (b) upon the sales price at the mine, or the market value at the mine if disposed of otherwise than by sale at the mine, or if sold otherwise than through an arms' length transaction, of the coal sold or disposed of by the code member in violation of the code or regulations thereunder (but in no case shall such sales price or market value be taken to be less than the minimum price established by the Commission for such coal and in effect at the time of such sale or other disposal), as found by the Commission under subsection (b) hereof. The Commission shall thereupon certify to the Commissioner of Internal Revenue and to the collector of internal revenue for the internal revenue collection district in which the producer resides the amount of the required payment as found under clause (5) of subsection (b), and upon payment of such amount

Ante, p. 75.

to the Commissioner or the collector such officer shall notify the Commission thereof.

Suits by code member for code violations, etc.

(d) Any code member who shall be injured in his business or property by any other code member by reason of the doing of any act which is forbidden or the failure to do any act which is required by this Act or by the code or any regulation made thereunder, may sue therefor in any court of competent jurisdiction where the defendant resides, or is found or has an agent or a place of business, without respect to the amount in controversy, and shall recover threefold damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

Damages and costs.

Review of district board's actions.

SEC. 6. (a) All rules, regulations, determinations, and promulgations of any district board shall be subject to review by the Commission upon appeal by any producer and upon just cause shown shall be amenable to the order of the Commission; and appeal to the Commission shall be a matter of right in all cases to every producer and to all parties in interest, including any State or any political subdivision thereof. In the event that a district board shall fail, for any reason, to take action authorized or required by this Act, then the Commission may take such action in lieu of the district board. The Commission may also provide rules for the determination of controversies arising under this Act by voluntary submission thereof to arbitration, which determination shall be final and conclusive.

Action by Commission upon failure of district board to act.

Arbitration.

Appeal from Commission's order.

(b) Any person aggrieved by an order issued by the Commission in a proceeding to which such person is a party may obtain a review of such order in the Circuit Court of Appeals of the United States, within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within sixty days after the entry of such order, a written petition praying that the order of the Commission be modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon any member of the Commission and thereupon the Commission shall certify and file in the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, and enforce or set aside such order, in whole or in part. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged below. The finding of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The judgment and decree of the court, affirming, modifying, and enforcing or setting aside, in whole or in part, any such order of the Commission shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

Petition to be filed.

Service of copy on Commission.

Filing transcript of record.

Court jurisdiction.

Finding of facts, etc.

Additional evidence.

Modification of findings of facts.

Finality of judgment and decree.

Review.
28 U. S. C. §§ 346, 347.

Commencement of proceedings not to stay Commission's order.

The commencement of proceedings under this subsection shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

Enforcement of Commission's order.

(c) If any code member fails or neglects to obey any order of the Commission while the same is in effect, the Commission in its discretion may apply to the Circuit Court of Appeals of the United States within any circuit where such code member resides or carries on business, for the enforcement of its order, and shall certify and file with its application a transcript of the entire record in the proceeding, including all the testimony taken and the report and order of the Commission. Upon such filing of the application and transcript the court shall cause notice thereof to be served upon such code member and thereupon shall have jurisdiction of the proceeding and of the question determined therein, and shall have power to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree affirming, modifying, or setting aside the order of the Commission. The findings of the Commission as to facts, if supported by substantial evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper.

Jurisdiction of court.

Findings of fact.

Additional evidence.

Modification of findings of fact.

The Commission may modify its findings as to the facts or make new findings, by reason of the additional evidence so taken, and it shall file such modified or new findings, which if supported by substantial evidence shall be conclusive, and its recommendation, if any, for the modification or setting aside of its original order, with the return of such additional evidence. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., title 28, secs. 346 and 347).

Finality of judgment and decree.

28 U. S. C. §§ 346, 347.

Review.

(d) The jurisdiction of the Circuit Court of Appeals of the United States or the United States Court of Appeals for the District of Columbia, as the case may be, to enforce, set aside, or modify orders of the Commission shall be exclusive.

Laws applicable to tax provisions. 47 Stat. 259.

SEC. 7. All provisions of law, including penalties and refunds, applicable in respect of the taxes imposed by Title IV of the Revenue Act of 1932, as amended, shall, insofar as applicable and not inconsistent with the provisions of this Act, be applicable with respect to taxes imposed under this Act.

General authority of Commission.

SEC. 8. (a) The members of the Commission are authorized to administer oaths to witnesses appearing before the Commission and to authorize the taking of depositions in any proceedings; and, for the purpose of conducting its investigations, said Commission shall have full power to issue subpenas and subpenas duces tecum, which shall be as nearly as may be in the form of subpenas issued by district courts of the United States. In case of contumacy by or refusal to obey a subpena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records. Upon the filing of the

Refusals to obey subpena.

application for such aid with the clerk of the court the court shall, either in term time or vacation, forthwith enter an order of record, requiring such person to appear before such court at a time stated in the order not more than ten days from the entry of the order (unless for good cause shown such time is extended), and show cause why he should not be required to obey such subpena, and upon his failure to show cause it shall be the duty of the court to order such witness to appear before the said Commission and give such testimony or produce such evidence as may be lawfully required by said Commission. The district court, either in term time or vacation, shall have full power to punish for contempt as in other cases of refusal to obey the process and order of such court. Witnesses summoned before the Commission or when depositions are taken upon order of the Commission, shall be paid the same fees and mileage as are paid witnesses in the courts of the United States, and officers taking such depositions shall be paid the same fees as are paid for like services in courts of the United States.

Contempt; punishment.

(b) No person shall be excused from attending and testifying or from producing books, papers, contracts, agreements, and other records and documents before the Commission, or in obedience to the subpena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

Testimony, records, etc., required.

SEC. 9. (a) It is hereby declared to be the public policy of the United States that—

Labor, etc., provisions.
Policy declared.

(1) Employees of producers of coal shall have the right to organize and to bargain collectively with respect to their hours of labor, wages, and working conditions through representatives of their own choosing, without restraint, coercion, or interference on the part of the producers.

Employees' right to organize and bargain collectively.

(2) No producer shall interfere with, restrain, or coerce employees in the exercise of their said rights, nor discharge or discriminate against any employee for the exercise of such rights.

Exercise of rights without restraint.

(3) No employee of any producer and no one seeking employment with him or it shall be required as a condition of employment to join any association of employees for collective bargaining in the management of which the producer has any share of direction or control.

Employee not compelled to join producer-controlled union.

(b) No coal (except coal with respect to which no bid is required by law prior to purchase thereof) shall be purchased by the United States, or by any department or agency thereof, produced at any mine where the producer failed at the time of the production of such coal to accord to his or its employees the rights set forth in subsection (a) of this section.

United States, etc., purchasing from producer failing to comply with requirements.

(c) On the complaint of any employee of a producer of coal, or other interested party, the Commission may hold a hearing to determine whether any producer supplying coal for the use of the United States or any agency thereof, is complying with the provisions of subsection (a) of this section. If the Commission shall find that such producer is not complying with such provisions, it shall certify its

Hearings on complaint of employee.

Certifying findings to agency concerned.

Termination of contract.

findings to the department or agency concerned. Such department or agency shall thereupon declare the contract for the supply of the coal of such producer to be canceled and terminated.

Designated Acts not affected.
47 Stat. 70.
29 U. S. C. § 101.
49 Stat. 449.
29 U. S. C., Supp. II, § 151.
49 Stat. 2036.
41 U. S. C., Supp. II, § 35.

(d) Nothing contained in this Act or section shall be construed to repeal or modify the provisions of the Act of March 23, 1932 (ch. 90, 47 Stat. 70), or of the Act of July 5, 1935 (ch. 372, 49 Stat. 449), known as the National Labor Relations Act, or of any other Act of Congress regarding labor relations or rights of employees to organize or bargain collectively, or of the Act of June 30, 1936 (ch. 881, 49 Stat. 2036).

Reports and accounts of producers

SEC. 10. (a) The Commission may require reports from producers and may use such other sources of information available as it deems advisable, and may require producers to maintain a uniform system of accounting of costs, wages, operations, sales, profits, losses, and such other matters as may be required in the administration of this Act.

Information considered confidential.

No information obtained from a producer disclosing costs of production or sales realization shall be made public without the consent of the producer from whom the same shall have been obtained, except where such disclosure is made in evidence in any hearing before the Commission or any court and except that such information may be compiled in composite form in such manner as shall not be injurious to the interests of any producer and, as so compiled, may be published by the Commission.

Penalty for violation.

(b) Any officer or employee of the Commission or of any district board who shall, in violation of the provisions of subsection (a), make public any information obtained by the Commission or the district board, without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding $500, or by imprisonment not exceeding six months, or by both fine and imprisonment, in the discretion of the court.

Failing to file report; penalty.

(c) If any producer required by this Act or the code or regulation made thereunder to file a report shall fail to do so within the time fixed for filing the same, and such failure shall continue for fifteen days after notice of such default, the producer shall forfeit to the United States the sum of $50 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States, brought in the district where the producer has his principal office or in any district in which he shall do business.

Recovery of fine by civil suit.

Duties of district attorneys.

It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeiture.

State laws.

SEC. 11. State laws regulating the mining of coal not inconsistent herewith are not affected by this Act.

Combination creating marketing agency for disposal of competitive coals in interstate commerce.

SEC. 12. Any combination between producers creating a marketing agency for the disposal of competitive coals in interstate commerce or in intrastate commerce directly affecting interstate commerce in coal at prices to be determined by such agency, or by the agreement of the producers operating through such agency, shall, after promulgation of the code provided for in section 4, be unlawful as a restraint of interstate trade and commerce within the provisions of the Act of Congress of July 2, 1890, known as the Sherman Act, and Acts amendatory and supplemental thereto, unless such producers have accepted the code provided for in section 4 and shall comply with its provisions.

Cooperative marketing provisions.

Subject to the approval of the Commission, a marketing agency may, as to its members, or such marketing agencies may, as between

and among themselves, provide for the cooperative marketing of their coal, at prices not below the effective minimum prices nor above the effective maximum prices prescribed in accordance with section 4: *Provided*, That no such approval shall be granted by the Commission unless it shall find that the agreement under which such agency or agencies propose to function (1) will not unreasonably restrict the supply of coal in interstate commerce, (2) will not prevent the public from receiving coal at fair and reasonable prices, (3) will not operate against the public interest, and (4) that each such agency and its members have agreed to observe the effective marketing regulations and minimum and maximum prices from time to time established by the Commission and otherwise to conduct the business and operations of the agency in conformity with reasonable regulations for the protection of the public interest, to be prescribed by the Commission.

Proviso. Conditions stipulated.

The Commission may, by order, upon complaint of any code member, district board, or member thereof, any State or political subdivision thereof, the consumers' counsel or any other interested person, or on its own motion, suspend or revoke its prior approval of any such marketing agency agreement upon finding that the regulations and orders of the Commission or the requirements of this section have been violated. Unless and until the approval of the Commission is suspended or revoked, neither the agreement creating such marketing agency nor any agreement between such agencies, which has been approved by the Commission, nor any act done in pursuance thereof, by such agency or agencies, or the members thereof, and not in violation of the terms of the Commission's approval, shall be construed to be within the prohibitions of the antitrust laws of the United States.

Commission may suspend or revoke approval for violations.

SEC. 13. If any provision of this Act or the code provided herein, or any section, subsection, paragraph, or proviso, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act or code, and the application thereof to other persons or circumstances, shall not be affected thereby; and if either or any of the provisions of this Act or code relating to prices or unfair methods of competition shall be found to be invalid, they shall be held separable from other provisions not in themselves found to be invalid.

Separability provisions.

OTHER DUTIES OF THE COMMISSION

Other duties of Commission.

SEC. 14. (a) The Commission shall study and investigate the matter of increasing the uses of coal and the problems of its importation and exportation; and shall further investigate—

Studies and investigations.

(1) The economic operations of mines with the view to the conservation of the national coal resources.

(2) The safe operation of mines for the purpose of minimizing working hazards, and for such purpose shall be authorized to utilize the services of the Bureau of Mines.

(3) The problem of marketing to lower distributing costs for the benefit of consumers.

(4) The Commission shall, as soon as reasonably possible after its appointment, investigate the necessity for the control of production of coal and methods of such control, including allotment of output to districts and producers within such districts and shall hold hearings thereon.

(b) The Commission shall annually report the results of its investigations under this section, together with its recommendations, to the Secretary of the Interior for transmission by him to Congress.

Reports of investigations.

Complaints respecting excessive coal prices

SEC. 15. Upon substantial complaint that coal prices are excessive, and oppressive of consumers, or that any district board, or producers' marketing agency, is operating against the public interest, or in violation of this Act, the Commission may hear such complaint, and its findings shall be made public; and the Commission shall make proper orders within the purview of this Act so as to correct such abuses. The Commission may institute proceedings under this section, and complaints may be made by any State or political subdivision of a State or by the consumers' counsel.

Correction of abuses.

Complaints to Interstate Commerce Commission respecting transportation costs.

SEC. 16. To safeguard the interests of those concerned in the mining, transportation, selling, and consumption of coal, the Commission or the office of consumers' counsel is hereby vested with authority to make complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs, and practices relating to the transportation of coal, and to prosecute the same. Before proceeding to hear and dispose of any complaint filed by another than the Commission, involving the transportation of coal, the Interstate Commerce Commission shall cause the Commission and the office of consumers' counsel to be notified of the proceeding and, upon application to the Interstate Commerce Commission, shall permit the Commission and consumers' counsel to appear and be heard. The Interstate Commerce Commission is authorized to avail itself of the cooperation, services, records, and facilities of the Commission.

Definitions.

SEC. 17. As used in this Act—

"Coal."

(a) The term "coal" means bituminous coal.

"Bituminous coal."

(b) The term "bituminous coal" includes all bituminous, semibituminous, and subbituminous coal and shall exclude lignite, which is defined as a lignitic coal having calorific value in British thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place in the mine of 30 per centum or more.

"Producer."

(c) The term "producer" includes all individuals, firms, associations, corporations, trustees, and receivers engaged in the business of mining coal.

"Interstate commerce."

(d) The term "interstate commerce" means commerce among the several States and Territories, with foreign nations, and with the District of Columbia.

"United States."

(e) The term "United States" when used in a geographical sense includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

Effective date of Section 3.
Ante, p. 75.

SEC. 18. Section 3 of this Act shall become effective on the first day of the second calendar month after the enactment of this Act, unless the Commission shall not at that time have promulgated the code and forms of acceptance for membership therein, in which event section 3 of this Act shall become effective from and after the date when the Commission shall have promulgated the code and such forms of acceptances, which date shall be promulgated by Executive order of the President of the United States. All other sections, except section 20 (a), of this Act shall become effective on the day of the approval of this Act.

Of other sections.

Duration.
Liabilities, etc., not affected.
R. S. § 13.
1 U. S. C. § 29.

SEC. 19. This Act shall cease to be in effect (except as provided in section 13 of the Revised Statutes) and any agencies and offices established thereunder shall cease to exist on and after four years from the date of the approval of this Act.

Bituminous Coal Conservation Act of 1935 repealed.
49 Stat. 991.
15 U. S. C., Supp. II, §§ 801-827.

SEC. 20. (a) The Bituminous Coal Conservation Act of 1935 is hereby repealed, but such repeal shall not be effective until the consumers' counsel and a majority of the members of the Commission have been appointed.

(b) There is hereby authorized to be appropriated from time to time such sums as may be necessary for the administration of this Act. All sums heretofore or hereafter appropriated or made available to the National Bituminous Coal Commission and to the consumers' counsel of the National Bituminous Coal Commission established under the Bituminous Coal Conservation Act of 1935 are hereby transferred and made available for the uses and during the periods for which appropriated, in the administration of this Act by the National Bituminous Coal Commission and the office of the consumers' counsel herein created.

Appropriation authorized.

Availability of other funds.

(c) The records, property, and equipment of the National Bituminous Coal Commission and the consumers' counsel, respectively, established under the Bituminous Coal Conservation Act of 1935 are hereby transferred to the Commission and the consumers' counsel, respectively, established under this Act.

Transfer of records, etc.

SEC. 21. This Act may be cited as the Bituminous Coal Act of 1937.

Short title.

ANNEX TO ACT—SCHEDULE OF DISTRICTS

Annex to Act—Schedule of districts.

EASTERN PENNSYLVANIA

District 1. The following counties in Pennsylvania: Bedford, Blair, Bradford, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Elk, Forest, Fulton, Huntingdon, Jefferson, Lycoming, McKean, Mifflin, Potter, Somerset, Tioga.

Eastern Pennsylvania.

Armstrong County, including mines served by the P. & S. R. R. on the west bank of the Allegheny River, and north of the Conemaugh division of the Pennsylvania Railroad.

Fayette County, all mines on and east of the line of Indian Creek Valley branch of the Baltimore and Ohio Railroad.

Indiana County, north of but excluding the Saltsburg branch of the Pennsylvania Railroad between Edri and Blairsville, both exclusive.

Westmoreland County, including all mines served by the Pennsylvania Railroad, Torrance, and east.

All coal-producing counties in the State of Maryland.

The following counties in West Virginia: Grant, Mineral, and Tucker.

WESTERN PENNSYLVANIA

District 2. The following counties in Pennsylvania: Allegheny, Beaver, Butler, Greene, Lawrence, Mercer, Venango, Washington.

Western Pennsylvania.

Armstrong County, west of the Allegheny River and exclusive of mines served by the P. & S. R. R.

Indiana County, including all mines served on the Saltsburg branch of the Pennsylvania Railroad north of Conemaugh River.

Fayette County, except all mines on and east of the line of Indian Creek Valley branch of the Baltimore and Ohio Railroad.

Westmoreland County, including all mines except those served by the Pennsylvania Railroad from Torrance, east.

NORTHERN WEST VIRGINIA

District 3. The following counties in West Virginia: Barbour, Braxton, Calhoun, Doddridge, Gilmer, Harrison, Jackson, Lewis, Marion, Monongalia, Pleasants, Preston, Randolph, Ritchie, Roane, Taylor, Tyler, Upshur, Webster, Wetzel, Wirt, Wood.

Northern West Virginia.

That part of Nicholas County including mines served by the Baltimore and Ohio Railroad and north.

OHIO

Ohio. District 4. All coal-producing counties in Ohio.

MICHIGAN

Michigan. District 5. All coal-producing counties in Michigan.

PANHANDLE

Panhandle. District 6. The following counties in West Virginia: Brooke, Hancock, Marshall, and Ohio.

SOUTHERN NUMBERED 1

Southern numbered 1. District 7. The following counties in West Virginia: Greenbrier, Mercer, Monroe, Pocahontas, Summers.

Fayette County, east of Gauley River and including the Gauley River branch of the Chesapeake and Ohio Railroad and mines served by the Virginian Railway.

McDowell County, that portion served by the Dry Fork branch of the Norfolk and Western Railroad and east thereof.

Raleigh County, excluding all mines on the Coal River branch of the Chesapeake and Ohio Railroad.

Wyoming County, that portion served by the Gilbert Branch of the Virginian Railway lying east of the mouth of Skin Fork of Guyandot River and that portion served by the main line and the Glen Rogers branch of the Virginian Railway.

The following counties in Virginia: Montgomery, Pulaski, Wythe. Giles, Craig.

Tazewell County, that portion served by the Dry Fork branch to Cedar Bluff and from Bluestone Junction to Boissevain branch of the Norfolk and Western Railroad and Richlands-Jewell Ridge branch of the Norfolk and Western Railroad.

Buchanan County, that portion served by the Richlands-Jewell Ridge branch of the Norfolk and Western Railroad and that portion of said county on the headwaters of Dismal Creek, east of Lynn Camp Creek (a tributary of Dismal Creek).

SOUTHERN NUMBERED 2

Southern numbered 2. District 8. The following counties in West Virginia: Boone, Clay, Kanawha, Lincoln, Logan, Mason, Mingo, Putnam, Wayne, Cabell.

Fayette County, west of, but not including mines of the Gauley River branch of the Chesapeake and Ohio Railroad.

McDowell County, that portion not served by and lying west of the Dry Fork branch of the Norfolk and Western Railroad.

Raleigh County, all mines on the Coal River branch of the Chesapeake and Ohio Railroad and north thereof.

Nicholas County, that part south of and not served by the Baltimore and Ohio Railroad.

Wyoming County, that portion served by Gilbert branch of the Virginian Railway lying west of the mouth of Skin Fork of Guyandot River.

The following counties in Virginia: Dickinson, Lee, Russell, Scott, Wise.

All of Buchanan County, except that portion on the headwaters of Dismal Creek, east of Lynn Camp Creek (tributary of Dismal Creek) and that portion served by the Richlands-Jewell Ridge branch of the Norfolk and Western Railroad.

Tazewell County, except portions served by the Dry Fork branch of Norfolk and Western Railroad and branch from Bluestone Junc-

tion to Boissevain of Norfolk and Western Railroad and Richlands-Jewell Ridge branch of the Norfolk and Western Railroad.

The following counties in Kentucky: Bell, Boyd, Breathitt, Carter, Clay, Elliott, Floyd, Greenup, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, McCreary, Magoffin, Martin, Morgan, Owsley, Perry, Pike, Rockcastle, Wayne, Whitley.

The following counties in Tennessee: Anderson, Campbell, Claiborne, Cumberland, Fentress, Morgan, Overton, Roane, Scott.

The following counties in North Carolina: Lee, Chatham, Moore.

WEST KENTUCKY

West Kentucky.

District 9. The following counties in Kentucky: Butler, Christian, Crittenden, Daviess, Hancock, Henderson, Hopkins, Logan, McLean, Muhlenberg, Ohio, Simpson, Todd, Union, Warren, Webster.

ILLINOIS

Illinois.

District 10. All coal-producing counties in Illinois.

INDIANA

Indiana.

District 11. All coal-producing counties in Indiana.

IOWA

Iowa.

District 12. All coal-producing counties in Iowa.

SOUTHEASTERN

Southeastern.

District 13. All coal-producing counties in Alabama.

The following counties in Georgia: Dade, Walker.

The following counties in Tennessee: Marion, Grundy, Hamilton, Bledsoe, Sequatchie, White, Van Buren, Warren, McMinn, Rhea.

ARKANSAS-OKLAHOMA

Arkansas-Oklahoma.

District 14. The following counties in Arkansas: All counties in the State.

The following counties in Oklahoma: Haskell, Le Flore, Sequoyah.

SOUTHWESTERN

Southwestern.

District 15. All coal-producing counties in Kansas. All coal-producing counties in Texas. All coal-producing counties in Missouri.

The following counties in Oklahoma: Coal, Craig, Latimer, Muskogee, Okmulgee, Pittsburg, Rogers, Tulsa, Wagoner.

NORTHERN COLORADO

Northern Colorado.

District 16. The following counties in Colorado: Adams, Arapahoe, Boulder, Douglas, Elbert, El Paso, Jackson, Jefferson, Larimer, Weld.

SOUTHERN COLORADO

Southern Colorado.

District 17. The following counties in Colorado: All counties not included in northern Colorado district.

The following counties in New Mexico: All coal-producing counties in the State of New Mexico, except those included in the New Mexico district.

NEW MEXICO

New Mexico.

District 18. The following counties in New Mexico: Grant, Lincoln, McKinley, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Socorro.

The following counties in Arizona: Pinal, Navajo, Graham, Apache, Coconino.

All coal-producing counties in California.

WYOMING

Wyoming.

District 19. All coal-producing counties in Wyoming.

The following counties in Idaho: Fremont, Jefferson, Madison, Teton, Bonneville, Bingham, Bannock, Power, Caribou, Oneida, Franklin, Bear Lake.

UTAH

Utah.

District 20. All coal-producing counties in Utah.

NORTH DAKOTA-SOUTH DAKOTA

North Dakota-South Dakota.

District 21. All coal-producing counties in North Dakota. All coal-producing counties in South Dakota.

MONTANA

Montana.

District 22. All coal-producing counties in Montana.

WASHINGTON

Washington.

District 23. All coal-producing counties in Washington. All coal-producing counties in Oregon.

The Territory of Alaska.

Approved, April 26, 1937.

[CHAPTER 130]

AN ACT

April 26, 1937
[S. 1280]
[Public, No. 49]

To repeal an Act of March 3, 1933, entitled "An Act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes."

Transfer of deteriorated explosives for agricultural purposes; Act repealed.
47 Stat. 1486.
10 U. S. C. § 1210a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to provide for the transfer of powder and other explosive materials from deteriorated and unserviceable ammunition under the control of the War Department to the Department of Agriculture for use in land clearing, drainage, road building, and other agricultural purposes", approved March 3, 1933, be, and the same is hereby, repealed.

Approved, April 26, 1937.

[CHAPTER 131]

AN ACT

April 26, 1937
[S. 1897]
[Public, No. 50]

To extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near La Crosse, Wisconsin.

Mississippi River.
Time extended for bridging, at La Crosse, Wis.
49 Stat. 1531.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Mississippi River, at or near La Crosse, Wisconsin, authorized to be built by the State of Wisconsin, by the Act of Congress approved June 19, 1936, are hereby extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1937.

[CHAPTER 134]

AN ACT

To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936.

April 27, 1937
[S. 1173]
[Public, No. 51]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by revising the first paragraph under the heading "Ohio River Basin" to read as follows:

Flood Control Act of 1936, amendment
49 Stat. 1586.
Post, p. 880

"Reservoir system for the protection of Pittsburgh: Construction of reservoirs for the Allegheny-Monongahela Basin as in comprehensive plan for the protection of Pittsburgh and for the reduction of flood heights in the Ohio Valley generally, as set forth in House Document Numbered 306, Seventy-fourth Congress, first session, and in the report on the Allegheny-Monongahela Rivers and tributaries on record in the Office of the Chief of Engineers, with such revisions or modifications as may be found advisable by the Chief of Engineers upon further investigation; estimated construction cost, $20,646,000; estimated cost of lands and damages, $34,569,000."

Ohio River Basin.
Reservoir system for protection of Pittsburgh and reduction of flood heights in, authorized.

Estimated costs.

Approved, April 27, 1937.

[CHAPTER 135]

AN ACT

To authorize the Secretary of War to release a certain right-of-way no longer needed for military purposes at the Springfield Armory, Massachusetts.

April 27, 1937
[S. 1705]
[Public, No. 52]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to release and quitclaim the easement or interest acquired by the United States from Edward Ingersoll and wife, by deed dated May 14, 1859, for a right-of-way in connection with Springfield Armory, Springfield, Massachusetts, upon payment of a reasonable compensation to be fixed by the Secretary of War and to execute any instrument or instruments necessary to quiet title in the purchaser thereof, the said right-of-way being no longer used or necessary for military purposes.

Springfield Armory, Mass.
Release of certain right-of-way at, authorized.

Approved, April 27, 1937.

[CHAPTER 136]

AN ACT

To authorize the furnishing of steam from the Central Heating Plant to the District of Columbia.

April 27, 1937
[H. R. 6142]
[Public, No. 53]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, through the National Park Service, be, and he is hereby, authorized to furnish steam from the Central Heating Plant to such buildings as may be erected by the District of Columbia on the property bounded by Fourth and Fifth Streets, and D and G Streets, Northwest, in the District of Columbia, and known as Judiciary Square: *Provided*, That the District of Columbia agrees to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Secretary of the Interior: *And provided further*, That the District of Columbia agrees to provide all necessary connections with the Government mains at its own expense, and in a manner satisfactory to the Secretary of the Interior.

District of Columbia.
Central Heating Plant to furnish steam to buildings in Judiciary Square.

Provisos.
Payment.

Installation expenses.

Approved, April 27, 1937.

[CHAPTER 140]

AN ACT

April 27, 1937
[H. R. 5232]
[Public, No. 54]

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1938, and for other purposes.

Navy Department and naval service appropriations for fiscal year 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1938, namely:

Naval Establishment.

NAVAL ESTABLISHMENT

Secretary's office.

OFFICE OF THE SECRETARY

MISCELLANEOUS EXPENSES

Miscellaneous expenses.

Experts.

Courts martial, etc.

Accident prevention, shore establishments.

Living quarters, etc.

46 Stat. 818.
5 U. S. C. § 118a.

Damage claims.

41 Stat. 132.
34 U. S. C. § 600.

Provisos.
Restriction on use in certain naval districts.

Group IV (b) employees.

For traveling expenses of civilian employees, including not to exceed $5,000 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; not to exceed $2,000 for the part-time or intermittent employment in the District of Columbia or elsewhere of such experts and at such rates of compensation as may be contracted for by and in the discretion of the Secretary of the Navy; expenses of courts martial, purchase of law and reference books, expenses of prisoners and prisons, courts of inquiry, boards of investigation, examining boards, clerical assistance; witnesses' fees and traveling expenses; not to exceed $15,000 for promoting accident prevention and safety in shore establishments of the Navy, to be expended in the discretion of the Secretary of the Navy; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); costs of suits; relief of vessels in distress; recovery of valuables from shipwrecks; maintenance of attachés abroad, including office rental and pay of employees, and not to exceed $12,000 in the aggregate or $900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a); the collection and classification of information; not to exceed $195,000 for telephone, telegraph, and teletype rentals and tolls, telegrams, radiograms, and cablegrams; postage, foreign and domestic, and post-office box rentals; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; payment of claims for damages as provided in the Act making appropriations for the naval service for the fiscal year 1920, approved July 11, 1919 (U. S. C., title 34, sec. 600); and other necessary and incidental expenses; in all, $1,241,780: *Provided*, That no part of any appropriation contained in this Act shall be available for the expense of any naval district in which there may be an active navy yard, naval training station, or naval operating base, unless the commandant of the naval district shall be also the commandant of one of such establishments: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $515,000.

CONTINGENT, NAVY

Contingent, Navy.

For all emergencies and extraordinary expenses, exclusive of personal services, in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, $20,000, of which $2,500 shall be available immediately.

CARE OF LEPERS, AND SO FORTH, ISLAND OF GUAM

Lepers, etc.

Care, etc., Guam and Culion, P. I.

Naval station, island of Guam: For maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Culion, in the Philippines, and their maintenance, $20,000; for educational purposes, $15,000; in all, $35,000.

NAVAL RESEARCH LABORATORY

Research Laboratory.

Work of, for naval service.

For laboratory and research work and other necessary work of the Naval Research Laboratory for the benefit of the naval service, including operation and maintenance of a laboratory, additions to equipment necessary properly to carry on work in hand, maintenance of buildings and grounds, temporary employment of such scientific and technical civilian assistants as may become necessary, and subscriptions to technical periodicals, to be expended under the direction of the Secretary of the Navy, $310,000: *Provided*, That $50,000 of this appropriation shall be available for the temporary employment of civilian scientists and technicists required on special problems: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $125,000, in addition to the amount authorized by the preceding proviso.

Provisos.
Temporary employment of scientists, etc.

Group IV (b) employees.

OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

Naval petroleum reserves.
Conservation and operation.
41 Stat. 813.
34 U. S. C. § 524.

To enable the Secretary of the Navy to carry out the provisions contained in the Act approved June 4, 1920 (U. S. C., title 34, sec. 524), requiring him to conserve, develop, use, and operate the naval petroleum reserves, $62,000, of which amount not to exceed $20,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided*, That out of any sums appropriated for naval purposes by this Act any portion thereof, not to exceed $10,000,000, shall be available to enable the Secretary of the Navy to protect Naval Petroleum Reserve Numbered 1, established by Executive order of September 2, 1912, pursuant to the Act of June 25, 1910 (U. S. C., title 43, secs. 141–143), by drilling wells and performing any work incident thereto, of which amount not to exceed $100,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided further*, That no part of the sum made available for the protection of this property shall be expended if a satisfactory agreement can be made with adjoining landowners not to drill offset wells for the purpose of producing oil.

Group IV (b) employees.

Provisos
Protective work on Reserve No. 1.

36 Stat. 847.
43 U. S. C. §§ 141–143.

Group IV (b) employees.

Agreement with adjoining landowners not to drill offset wells.

Prison farms and prison personnel.

NAVAL PRISON FARMS AND PRISON PERSONNEL

Operation, etc.

For the operation, maintenance, and improvement of naval prison farms and for the welfare, recreation, and education of prison personnel, to be expended under such regulations as the Secretary of the Navy may prescribe, $12,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation on expenditures.
48 Stat. 1227.
31 U. S. C. § 725c.

BUREAU OF NAVIGATION

Bureau of Navigation

TRAINING, EDUCATION, AND WELFARE, NAVY

Training, education, etc.

Naval War College, maintenance, etc.

Naval War College: For maintenance and operation, including repairs, improvements, and care of grounds; services of a professor of international law, $2,000; services of lecturers, $2,000; and other civilian services; library expenses, including the purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; and including contingencies of the president of the Naval War College, to be expended in his discretion, not exceeding $1,000; and for other necessary expenses, $123,200;

Naval training stations, maintenance, etc.

Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow:

San Diego, California, $160,359;

Newport, Rhode Island, $148,500;

Great Lakes, Illinois, $256,500;

Norfolk, Virginia, $260,000;

Fleet training, gunnery, etc., prizes.

Fleet training: For trophies and badges for excellence in gunnery, target practice, communication, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges; entrance fees in matches for the rifle team, and special equipment therefor, $57,000;

Instruction expenses.

Instruction: For postgraduate instruction of officers in other than civil government and literature, including such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (Public Act Numbered 417, Seventy-fourth Congress), and for special instruction, education, and individual training of officers and enlisted men at home and abroad, including maintenance of students abroad, except aviation training and submarine training otherwise appropriated for, $197,310: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of any expense incident to giving special educational courses or postgraduate instruction to officers with view to qualifying them or better qualifying them for the performance of duties required to be performed by or in pursuance of law by officers of the Supply Corps, Construction Corps, or Corps of Civil Engineers, except present students and except such officers who are commissioned in such corps or who have not been commissioned in the line of the Navy more than three years and four months prior to the commencement of such educational courses or postgraduate instruction;

Retirement annuities.
49 Stat. 1092.
34 U. S. C., Supp. II, §§ 1073–1073e.

Proviso.
Restriction on special courses of instruction.

Exception.

Libraries.

Libraries: For libraries, professional books, textbooks, religious books, periodicals, and newspaper subscriptions for ships and shore stations not otherwise appropriated for, $60,000;

Welfare and recreation: For welfare and recreation of the Navy, including periodicals and newspaper subscriptions, and not exceeding $4,000 for care and operation of schools at naval stations at Guantanamo Bay, Guam, and Tutuila, for the children of Naval and Marine Corps commissioned, enlisted, and civilian personnel, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe, $280,000;

Welfare and recreation.

Naval Reserve Officers' Training Corps: For all expenses incident to the conduct of the Naval Reserve Officers' Training Corps under such regulations as the President has prescribed or hereafter may prescribe under the provisions of section 22 of the Act approved March 4, 1925 (43 Stat., p. 1276; U. S. C., title 34, sec. 821), $84,400: *Provided*, That uniforms and other equipment or material issued to the Naval Reserve Officers' Training Corps in accordance with law may be furnished from surplus or reserve stocks of the Navy without payment under this appropriation, except for actual expenses incurred in the manufacture or issue;

Naval Reserve Officers' Training Corps, operation.

43 Stat. 1276.
34 U. S. C. § 821.

Proviso.
Uniforms, equipment, etc.

In all, training, education, and welfare, Navy, $1,627,269: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, exclusive of temporary services, shall not exceed the following amounts, respectively: Naval War College, $77,000; Naval Training Station, San Diego, $3,050; Naval Training Station, Newport, $7,700; Naval Training Station, Great Lakes, $12,350; Naval Training Station, Norfolk, $2,100; Instruction, $19,411; Libraries, $19,115; Welfare and Recreation, $4,000.

Proviso
Group IV (b) employees.

STATE MARINE SCHOOLS, ACT OF MARCH 4, 1911

State Marine Schools.

To reimburse the State of California, $25,000; the State of Massachusetts, $25,000; the State of New York, $25,000; and the State of Pennsylvania, $25,000, for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911 (U. S. C., title 34, sec. 1121), and for the maintenance and repair of the particular vessels loaned by the United States to the said States on the date of the approval of this Act for use in connection with such State marine schools, $90,000, and no other vessels shall be furnished by or through the Navy Department; in all, $190,000.

Reimbursing designated States for expenses.

36 Stat. 1353.
34 U. S. C. § 1121.
Maintenance, etc., of vessels loaned.

INSTRUMENTS AND SUPPLIES, BUREAU OF NAVIGATION

For supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; hire of launches or other small boats in Asiatic waters; quarantine expenses; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; compasses; compass fittings, including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; music and musical instruments; commissions, warrants, diplomas, discharges,

Instruments and supplies.

good-conduct badges, and medals for men and boys; transportation of effects of deceased officers, nurses, and enlisted men of the Navy, and of officers and men of the Naval Reserve who die while on duty; not to exceed $5,000 for contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify; and for the necessary civilian electricians for gyrocompass testing and inspection, $637,670: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedules of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $36,240.

Proviso.
Group IV (b) employees.

OCEAN AND LAKE SURVEYS, BUREAU OF NAVIGATION

Ocean and lake surveys.

For hydrographic surveys, including the pay of the necessary hydrographic surveyors, cartographic draftsmen, and recorders, and for the purchase of nautical books, charts, and sailing directions, $80,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $34,000.

Proviso.
Group IV (b) employees.

Naval Reserve.

NAVAL RESERVE

Organizing, recruiting, etc., of, and Naval Militia.

For expenses of organizing, administering, and recruiting the Naval Reserve and Naval Militia, including the designing, purchasing, and engraving of trophies; pay and allowances of officers and enlisted men of the Naval Reserve when employed on authorized training duty; mileage for officers while traveling under orders to and from training duty; transportation of enlisted men to and from training duty, and subsistence and transfers en route, or cash in lieu thereof; subsistence of enlisted men during the actual period of training duty; subsistence of officers and enlisted men of the Fleet Naval Reserve while performing authorized training or other duty without pay; pay, mileage, and allowances of officers of the Naval Reserve and pay, allowances, subsistence and transportation with subsistence and transfers en route, or cash in lieu thereof of enlisted men of the Naval Reserve when ordered to active duty in connection with the instruction, training, and drilling of the Naval Reserve; pay and allowances, including travel and other allowances as authorized by law (excluding clothing and small-stores issues and uniform gratuities), of aviation cadets of the Naval Reserve when ordered to active duty, including active duty undergoing training; pay of officers and enlisted men of the Fleet Naval Reserve for the performance of not to exceed forty-eight drills per annum or other equivalent instruction or duty, or appropriate duties, and administrative duties, exclusive, however, of pay, allowances, or other expenses on account of members of any class of the Naval Reserve incident to their being given flight training unless, as a condition precedent, they shall have been found by such agency as the Secretary of the Navy may designate physically and psychologically qualified to serve as pilots of naval aircraft, $9,277,109, of which amount not more than $150,000 shall be available for maintenance and rental of armories, including pay of necessary janitors, and for wharfage; not more than $81,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department;

Fleet Naval Reserve.
Subsistence, etc.
Pay, mileage, etc.

Flight training.

Armories, wharfage, etc.

Group IV (b) employees.

not less than $3,359,469 shall be available, in addition to other appropriations, for aviation material, equipment, fuel, and rental of hangars, and not more than $397,914 shall be available, in addition to other appropriations, for fuel and the transportation thereof, and for all other expenses in connection with the maintenance, operation, repair, and upkeep of vessels assigned for training the Naval Reserve, and of such total sum $6,568,489 shall be available exclusively for and on account of Naval and Marine Corps Reserve aviation: *Provided*, That no appropriation contained in this Act shall be available to pay more than twenty officers of the Naval Reserve and one officer of the Marine Corps Reserve above the grade of lieutenant or captain, respectively, the pay and allowances of their grade for the performance of active duty other than the performance of drills or other equivalent instruction or duty, or appropriate duties and the performance of fifteen days' active training duty, and other officers above such grades employed on such class of active duty (not to exceed four months in any calendar year) shall not be entitled to be paid a greater rate of pay and allowances than authorized by law for a lieutenant of the Navy or a captain of the Marine Corps entitled to not exceeding ten years' longevity pay: *Provided further*, That no appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the Naval or Marine Corps Reserve who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States; and "retired pay" as here used shall not include the pay of transferred members of such reserve forces.

Aviation material, hangars, etc.

Aviation, Naval and Marine Corps Reserve.

Provisos
Reserve officers performing active duty.

Limitation.

Pay, allowances, etc., restrictions.

NAVAL ACADEMY

Naval Academy.

Pay, Naval Academy: For pay of professors and instructors, including one professor as librarian, and such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (49 Stat., pp. 1092, 1093), $293,561, of which $1,487 shall be available immediately: *Provided*, That this appropriation shall not be available for the employment of more than nine masters and instructors in swordsmanship and physical training.

Pay of professors, etc
Annuities.
49 Stat. 1092.
34 U. S. C., Supp. II, §§ 1073-1073e.
Proviso.
Swordsmanship instruction, etc.

For pay of other employees, $609,821, of which $2,474 shall be available exclusively on account of the collection of ship models bequeathed by the late Henry H. Rogers: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules, in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, shall not exceed $251,440.

Employees.
H. H. Rogers collection of ship models.
Post, p. 102.
Proviso.
Group IV (b) employees.

Current and miscellaneous expenses, Naval Academy: For text and reference books for use of instructors; stationery, blank books and forms, models, maps, newspapers, and periodicals; apparatus and materials for instruction in physical training and athletics; expenses of lectures and entertainments, not exceeding $2,000, including pay and expenses of lecturers and visiting clergymen; chemicals, philosophical apparatus and instruments, stores, machinery, tools, fittings, apparatus, materials for instruction purposes, and purchase of and engraving of trophies and badges, $50,000; for purchase, binding, and repair of books for the library (to be purchased in the open market on the written order of the superintendent), $5,500; for expenses of the Board of Visitors to the Naval Academy, $1,200; for contingencies for the superintendent of the Academy, to be expended in his discretion, not exceeding $4,000; for contingencies for the commandant of midshipmen, to be expended in his discretion, not exceeding $1,200; in all, $61,900, to be accounted for as one fund.

Current, etc., expenses.

Lectures, etc.

Library.

Board of Visitors.

Maintenance and repairs.

Maintenance and repairs, Naval Academy: For necessary repairs of public buildings, wharves, and walls enclosing the grounds of the Naval Academy, accident prevention, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants, machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor, advertising, water tax, postage, telephones, telegrams, tolls, and ferriage; flags and awnings; packing boxes; pay of inspectors and draftsmen; and music and astronomical instruments, $1,058,000, of which $2,000 shall be available exclusively on account of the collection of ship models bequeathed by the late Henry H. Rogers: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $26,100: *Provided further*, That the appropriation of $5,000 contained in the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat., p. 1628), for expenses in connection with the acceptance of the collection of ship models bequeathed by the late Henry H. Rogers, shall remain available for such purpose until June 30, 1938.

Horses, vehicles, etc.

Provisos.
Group IV (b) employees.

H. H. Rogers bequest, acceptance expenses.
49 Stat 1628.
Ante, p. 101.

Naval Home, Philadelphia, Pa.

NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

Personal services.
Proviso.
Group IV (b) employees.

For pay of employees, $90,120: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $13,800;

Maintenance.

Maintenance: For water rent, heating, and lighting; cemetery, burial expenses, and headstones; general care and improvements of grounds, buildings, walls, and fences; repairs to power-plant equipment, implements, tools, and furniture, and purchase of the same; music in chapel and entertainment for beneficiaries; stationery, books, and periodicals; transportation of indigent and destitute beneficiaries to the Naval Home, and of sick and insane beneficiaries, their attendants and necessary subsistence for both, to and from other Government hospitals; employment of such beneficiaries in and about the Naval Home as may be authorized by the Secretary of the Navy, on the recommendation of the governor; support of beneficiaries and all other contingent expenses, including the maintenance, repair, and operation of two motor-propelled vehicles, and one motor-propelled passenger-carrying vehicle to be used only for official purposes, $99,880;

Employment of beneficiaries.

In all, Naval Home, $190,000.

Bureau of Engineering.

BUREAU OF ENGINEERING

ENGINEERING

Engineering, repairs, machinery, etc.
Equipment, supplies, etc.

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and

renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service; equipage, supplies, and materials under the cognizance of the Bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, accident prevention, pay of classified field force under the Bureau; incidental expenses for naval vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; services, instruments, machines and auxiliaries, apparatus and supplies, and technical books and periodicals necessary to carry on experimental and research work; maintenance and equipment of buildings and grounds at the engineering experiment station, Annapolis, Maryland; payment of part time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any persons so employed; in all, $22,080,800: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,758,500.

Annapolis, Md., engineering experiment station.

Proviso. Group IV (b) employees.

BUREAU OF CONSTRUCTION AND REPAIR

Bureau of Construction and Repair.

Construction and repair of vessels.

For designing naval vessels, including services, instruments, apparatus, and materials necessary for experimental and research work; payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed; maintenance, repairs, and alterations of vessels; care and preservation of vessels out of commission; docking of vessels; salvage and salvage services for naval floating property; construction and repair of district and yard craft; purchase and manufacture of equipage, appliances, supplies, and materials at home and abroad as required for the maintenance, repair, alteration, and operation of naval vessels and district and yard craft; carrying on work of the experimental model basin and wind tunnel; tools and appliances for all purposes in navy yards and naval stations; labor in navy yards and naval stations and elsewhere at home and abroad; accident prevention; pay of classified field force, including employees in material inspection and superintending constructors' offices; incidental expenses at navy yards and naval stations and in material inspection and superintending constructors' offices such as photographing, technical and professional books and magazines, plans, stationery, drafting instruments and other materials, $19,458,500: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,890,000.

Field force.

Proviso. Group IV (b) employees.

Bureau of Ordnance.

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, BUREAU OF ORDNANCE

Procuring, etc., ordnance and ordnance stores

For procuring, producing, preserving, and handling ordnance material for the armament of ships; for the purchase and manufacture of torpedoes and appliances; for the purchase and manufacture of smokeless powder; for fuel, material, and labor to be used in the general work under the cognizance of the Bureau of Ordnance; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for technical books; plant appliances as now defined by the "Navy Classification of Accounts"; for machinery and machine tools; for accident prevention; for experimental work in connection with the development of ordnance material for the Navy; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; not to exceed $15,000 for minor improvements to buildings, grounds, and appurtenances of a character which can be performed by regular station labor; for payment of part time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicists as may be contracted for by the Secretary of the Navy in his discretion at a rate of pay not exceeding $20 per diem for any person so employed; for the maintenance, repair, and operation of horse-drawn and motor-propelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations; for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots, and for care and operation of schools at ordnance stations at Indianhead, Maryland; Dahlgren, Virginia; and South Charleston, West Virginia, $24,429,800: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,380,000.

Schools at designated stations.

Proviso.
Group IV (b) employees.

Bureau of Supplies and Accounts.

BUREAU OF SUPPLIES AND ACCOUNTS

PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

Pay of naval personnel.
Officers.
Aerial flights, increased pay restriction.

Pay of naval personnel: For pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, pay—$34,762,731, including not to exceed $1,698,100 for increased pay for making aerial flights, no part of which shall be available for increased pay for making aerial flights by any officer above the rank of captain, except not more than three officers of the rank of rear admiral, nor by nonflying officers or observers at a rate in excess of $1,440 per annum, which shall be the legal maximum rate as to such nonflying officers or observers; rental allowance, $7,275,000; subsistence allowance, $4,358,427; in all, $46,396,158; officers on the retired list, $9,000,000; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $9,000; pay of enlisted men on the retired list, $7,600,000; interest on deposits by men, $3,000; pay of petty officers (not to exceed an average of eight thousand two hundred

Rent and subsistence.
Retired officers.
Hire of quarters.

Enlisted men.

and forty chief petty officers, of which number those with a permanent appointment as chief petty officer shall not exceed an average of seven thousand one hundred and ninety-eight), seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Bureau of Fisheries, enlisted men, men in trade schools, pay of enlisted men of the Hospital Corps, extra pay for men for diving, and cash prizes (not to exceed $106,000) for men for excellence in gunnery, target practice, communication, and engineering competitions, $78,484,680, and, in addition, $10,000,000 appropriated in the Second Deficiency Appropriation Act, fiscal year 1935, for a "floating dry dock, type B, including mooring facilities and accessories", such sum being hereby reappropriated for the objects embraced by this clause and paragraph; outfits for all enlisted men and apprentice seamen of the Navy on first enlistment, civilian clothing not to exceed $15 per man to men given discharges for bad conduct or undesirability or inaptitude, reimbursement in kind of clothing to persons in the Navy for losses in cases of marine or aircraft disasters or in the operation of water- or air-borne craft, and the authorized issue of clothing and equipment to the members of the Nurse Corps, $1,775,210; pay of enlisted men undergoing sentence of court martial, $25,000, and as many machinists as the President may from time to time deem necessary to appoint; pay and allowances of the Nurse Corps, including assistant superintendents, directors, and assistant directors—pay, $558,880; rental allowance, $24,000; subsistence allowance, $23,871; pay retired list, $243,249; in all, $850,000; rent of quarters for members of the Nurse Corps; pay and allowances of transferred and assigned men of the Fleet Naval Reserve, $15,290,000; reimbursement for losses of property as provided in the Act approved October 6, 1917 (U. S. C., title 34, secs. 981, 982), as amended by the Act of March 3, 1927 (U. S. C., title 34, sec. 983), $10,000; payment of six months' death gratuity, $150,000; in all, $159,593,048; and no part of such sum shall be available to pay active-duty pay and allowances to officers in excess of nine on the retired list, except retired officers temporarily ordered to active duty as members of retiring and selection boards as authorized by law: *Provided*, That, except for the public quarters occupied by the Chief of Office of Naval Operations, the Superintendent of the Naval Academy, and the Commandant of the Marine Corps and messes temporarily set up on shore for officers attached to seagoing vessels, to aviation units based on seagoing vessels including officers' messes at the fleet air bases, and to landing forces and expeditions, and in addition not to exceed forty in number at such places as shall be designated by the Secretary of the Navy, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Naval Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department;

Prizes, etc.

Outfits, clothing, etc.

Reimbursement for certain losses.

Nurse Corps.

Fleet Naval Reserve.

Property losses.
40 Stat. 389; 44 Stat. 1368.
34 U. S. C. §§ 981-983.

Active duty pay, etc., to retired officers; restriction.

Proviso.
Enlisted men ashore as household servants.

Voluntary, etc., services.

Sale of meals to officers on shore duty.

Subsistence.
Provisions, commutation of rations, etc.

Subsistence of naval personnel: For provisions and commuted rations for enlisted men of the Navy, which commuted rations may be paid to caterers of messes in case of death or desertion, upon orders of the commanding officers, at 50 cents per diem, and midshipmen at 75 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 70 cents per ration to the naval

Unavoidable absences.

hospital fund; subsistence of men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); quarters and subsistence of men on

Detached duty.

Naval Reserve, etc

detached duty; subsistence of members of the Naval Reserve during period of active service; subsistence in kind at hospitals and on board ship in lieu of subsistence allowance of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement; in all, $20,219,851;

Transportation.

Transportation and recruiting of naval personnel: For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy while traveling under orders, including the cost of a compartment or such other accommodations, as may be authorized by the Secretary of the Navy, for security when secret documents are transported by officer messenger,

Attendance at meetings.

and including not to exceed $2,900 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct

Midshipmen, etc.

of the work of the Navy Department; for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen, and not more than $2,500 shall be available for transportation of midshipmen, including reimbursement of traveling expenses while traveling under orders, after appointment as mid-

Proviso.
Limitation increased.

shipmen: *Provided*, That for the fiscal year ending June 30, 1937, such limitation of $2,500, likewise applying to such fiscal year, is hereby increased to $8,000, effective as of July 1, 1936; for actual traveling

Enlisted men.

expenses of female nurses; for travel allowance or for transportation and subsistence as authorized by law of enlisted men upon discharge; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their home, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen and insane supernumerary patients to hospitals, with subsistence and transfers en route, or cash in lieu thereof;

Apprehending deserters, etc.

apprehension and delivery of deserters and stragglers, and for railway guides and other expenses incident to transportation; expenses of

Recruiting.

recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage

Transporting dependents.
Funeral escorts.

to officers on duty with traveling recruiting parties; transportation of dependents of officers and enlisted men, $1,038,400; expenses of funeral escorts of naval personnel; actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of shore-patrol detachment; in all, $5,271,680;

Aggregate; amount immediately available.

In all, for pay, subsistence, and transportation of naval personnel, $185,084,579, of which sum $1,000,000 shall be immediately available,

Accounting.

and the money herein specifically appropriated for "Pay, subsistence, and transportation of naval personnel" shall be disbursed and accounted for in accordance with existing law and shall constitute

Provisos.
Additional medical detail, Veterans' Administration patients in naval hospitals.

one fund: *Provided*, That additional commissioned, warranted, appointed, enlisted, and civilian personnel of the Medical Department of the Navy, required for the care of patients of the United States Veterans' Administration in naval hospitals, may be employed

in addition to the numbers appropriated for in this Act: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipmen whose admission subsequent to January 30, 1937, would result in exceeding at any time an allowance of four midshipmen for each Senator, Representative, and Delegate in Congress; of one midshipman for Puerto Rico, a native of the island, appointed on nomination of the Governor, and of four midshipmen from Puerto Rico, appointed on nomination of the Resident Commissioner; and of four midshipmen from the District of Columbia: *Provided further*, That nothing herein shall be construed to repeal or modify in any way existing laws relative to the appointment of midshipmen at large, from the enlisted personnel of the naval service, from the Naval Reserve, from honor graduates of military schools or Naval Reserve Officers' Training Corps: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipman appointed from enlisted men of the Navy for admission to the Naval Academy in the class entering in the calendar year 1938 who has not served aboard a vessel of the Navy in full commission for at least nine months prior to such admission.

Restriction on admissions to Naval Academy after January 30, 1937.

Appointments at large from enlisted men not affected.

Sea service requirements of appointees from enlisted men.

MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

Maintenance.

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including stationery for commanding, executive, communication, and navigating officers of ships, boards and courts on ships, and chaplains; commissions, interest, and exchange; ferriage and bridge tolls; including streetcar fares; rent of buildings and offices not in navy yards except for use of naval attachés and recruiting officers; accident prevention; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; freight, express, and parcel-post charges, including transportation of funds and cost of insurance on shipments of money when necessary; for transportation on Government-owned vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Navy and Marine Corps personnel upon change of station, and ice for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards), pertaining to the Navy Department and Naval Establishment, $9,313,180: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $4,700,000: *Provided further*, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Navy and Marine Corps on disbursing duty and charged in their official accounts may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts.

Freight, etc., charges.

Provisos.
Supply or replacement of kitchen, etc., ware for officers' quarters ashore forbidden.

Group IV (b) employees.

Use of certain receipts for current expenses; accounting.

CLOTHING, NAVAL RESERVE

Clothing and small stores fund.

The clothing and small-stores fund shall be charged with the value of all issues of clothing and small stores made to aviation cadets and enlisted men of the Naval Reserve and the uniform gratuity paid to officers and aviation cadets of the Naval Reserve.

Strategic and critical materials.
Procurement and transportation.
Provisos.
Use restricted.

STRATEGIC AND CRITICAL MATERIALS

For the procurement and transportation of strategic and critical materials, $3,500,000, to remain available until expended: *Provided*, That materials acquired hereunder shall not be issued for current use in time of peace without the approval of the Secretary of the Navy, except that materials acquired under this title may be issued for current use when replaced by materials purchased from current appropriations: *Provided further*, That for the purposes of this paragraph, the Secretary of the Navy shall determine what materials are strategic and critical.

Determination of.

FUEL AND TRANSPORTATION, BUREAU OF SUPPLIES AND ACCOUNTS

Fuel and transportation.

For coal and other fuel for submarine bases and steamers' and ships' use, including expenses of transportation, storage, and handling the same and the removal of fuel refuse from ships; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels, and ice for the cooling of water, including the expense of transportation and storage of both, $8,847,076: *Provided*, That fuel acquired other than by purchase shall not be issued without charging the applicable appropriation with the cost of such fuel at the rate current at the time of issue for fuel purchased: *Provided further*, That the President may direct the use, wholly or in part, of fuel on hand, however acquired, to be charged at the last issue rate for fuel acquired by purchase, when, in his judgment, prices quoted for supplying fuel are excessive: *Provided further*, That no part of this appropriation shall be available, any provision in this Act to the contrary notwithstanding, for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions where oil of the production of the United States or its possessions may be procurable, notwithstanding that oil of the production of the United States or its possessions may cost more than oil of foreign production, if such excess of cost, in the opinion of the Secretary of the Navy, which shall be conclusive, be not unreasonable.

Provisos.
Issue to be charged to applicable appropriation.

Price for fuel on hand.

Restriction on use, etc., of foreign fuel oil.

BUREAU OF MEDICINE AND SURGERY

Bureau of Medicine and Surgery.

MEDICAL DEPARTMENT

Surgeons' necessaries.
Civil establishment.

For surgeons' necessaries for vessels in commission, navy yards, naval stations, and Marine Corps; and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Navy Medical Center, Naval Medical School and Naval Dispensary, Washington, and Naval Academy; for tolls and ferriages; purchase of books and stationery; hygienic and sanitary investigation and illustration; sanitary, hygienic, administrative, and special instruction, including the issuing of naval medical bulletins and supplements; purchase and repairs of non-passenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of three passenger-carrying motor vehicles for Naval Dispensary, Washington, District of Columbia, and of one motor-propelled vehicle for official use only for the medical officer on out-patient medical service at the Naval Academy; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical Center, Naval Medical School and Naval Dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical Center, Naval Medical School and Naval Dispensary, Washington, naval medical supply

Vehicles, etc.

depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the Naval Medical School and naval medical supply depots; rent of rooms for Naval Dispensary, Washington, District of Columbia, not to exceed $1,200; for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast, including supernumeraries held for transfer to Saint Elizabeths Hospital; for dental outfits and dental material; and all other necessary contingent expenses; in all, $2,292,293: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $155,000.

Care, etc., of insane on Pacific coast.

Proviso. Group IV (b) employees.

CARE OF THE DEAD

Care of the dead.

For the care of the dead; for funeral expenses and interment or transportation to their homes or to designated cemeteries of the remains of officers and enlisted men of the Navy and Marine Corps, of members of the Nurse Corps, reservists on active or training duty, and accepted applicants for enlistment, civilian employees of the Navy Department and Naval Establishment who die outside of the continental limits of the United States, and former enlisted men who are discharged while in naval hospitals and are inmates of said hospitals on the date of their death; for funeral expenses and interment of the remains of pensioners and destitute patients who die in naval hospitals; for purchase and care of cemetery lots; for care of graves outside of the continental limits of the United States, including those in sites not owned by the United States; for removal of remains from abandoned cemeteries to naval or national cemeteries, or to their homes, including remains interred in isolated graves at home and abroad, and remains temporarily interred, $70,000: *Provided*, That the above provision shall apply in the case of officers and enlisted men of the Navy and Marine Corps on the retired list who die while on active duty.

Interment or transportation expenses.

Civilian employees dying abroad.

Proviso. Retired officers, etc., on active duty included.

BUREAU OF YARDS AND DOCKS

Bureau of Yards and Docks.

MAINTENANCE, BUREAU OF YARDS AND DOCKS

For the labor, materials, and supplies necessary, as determined by the Secretary of the Navy, for the general maintenance of the activities and properties now or hereafter under the cognizance of the Bureau of Yards and Docks, including accident prevention; the purchase, maintenance, repair, and operation of passenger-carrying vehicles for the Navy Department (not to exceed ten in number) and the Naval Establishment not otherwise provided for; not to exceed $1,525,000 for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, and part-time or intermittent employment in the District of Columbia, or elsewhere, of such engineers and architects as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $25 per diem for any person so employed, $7,875,958: *Provided*, That during the fiscal year 1938 the motor-propelled passenger-carrying vehicles to be purchased hereunder shall not exceed the following respective numbers and costs: Ten at $1,600 each, thirty-six at $550 each, and three motor-busses at $4,200 each, and motortruck chasses with station wagon

General maintenance, etc.

Vehicles.

Group IV (b) employees.

Provisos. Limitation on vehicle purchases.

Maintenance, operation, repair, etc.

type bodies as required: *Provided further*, That expenditures from appropriations contained in this Act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of civilian chauffeurs and the compensation of any greater number than ninety enlisted men detailed to such duty, shall not exceed in the aggregate $90,000, exclusive of such vehicles owned and operated by the Marine Corps in connection with expeditionary duty without the continental limits of the United States, motor-busses, station wagon motortrucks, and motorcycles, and on any one vehicle, except busses and ambulances, shall not exceed for maintenance, upkeep, and repair, exclusive of garage rent, pay of operators, tires, fuel, and lubricants, one-third of the market price of a new vehicle of the same make or class, and in any case not more than $400.

CONTINGENT, BUREAU OF YARDS AND DOCKS

Contingent.

For contingent expenses and minor extensions and improvements of public works at navy yards and stations, $140,000.

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works, etc.

For public works and public utilities, Bureau of Yards and Docks, $6,552,000, which, together with the unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That not to exceed 2½ per centum of the aggregate amount available on July 1, 1937, shall be available for the employment of classified personal services in the Bureau of Yards and Docks and in the field service to be engaged upon such work and to be in addition to employees otherwise provided for: *Provided further*, That the Secretary of the Navy is authorized to commence, continue, or complete the construction of, or make provision for, by contract or otherwise, projects heretofore authorized and appropriated for under this head, and, in addition, the following-named public works and public utilities projects at a limit of cost not to exceed the amount stated for each project enumerated, respectively:

Provisos.
Personal services.

Construction of authorized projects.

Charleston, S. C.

Navy Yard, Charleston, South Carolina: Repairing and improving power plant, high-pressure boilers, and electrical distribution system to water front and drydock, $75,000; repairing and modernizing electric lighting and power in shops, $26,000; repairing and extending fire-alarm system, $16,000;

Washington, D. C.

Navy Yard, Washington, District of Columbia: Improvement of power plant, $265,000;

Mare Island, Calif.

Navy Yard, Mare Island, California: Construction of graving drydock, to continue, $3,350,000;

Pearl Harbor, Hawaii.

Navy Yard, Pearl Harbor, Hawaii: Improvement of harbor and channel, $1,000,000; mooring facilities and accessories, $275,000; improvement of water supply, Aiea, $140,000;

Norfolk, Va.

Navy Yard, Norfolk, Virginia: Improvement of power plant, $45,000;

Saint Thomas, Virgin Islands.

Naval Station, Saint Thomas, Virgin Islands: Aviation facilities, $125,000;

San Diego, Calif.

Naval Station, San Diego, California: Mooring quay wall and dredging, $105,000;

Alameda, Calif., air station; site and buildings.

Naval Air Station, Alameda, California: For acquisition of site, free from all encumbrances, at a cost not to exceed $1, and, thereafter, toward the development of such site, as authorized by the Act approved June 24, 1936 (49 Stat., pp. 1901, 1902), including buildings and accessories, bulkheads, and dredging, $1,000,000;

49 Stat. 1901.

Model Testing Plant: Toward the model testing plant, authorized by the Act approved May 6, 1936 (49 Stat., pp. 1263, 1264), including buildings and facilities and purchase of land, $3,000,000: *Provided*, That no part of such sum shall be available for the provision, by contract or otherwise, of any buildings or facilities for testing other than surface and subsurface craft;

Model testing plant. 49 Stat. 1263.

Proviso. Use restricted.

Naval Air Station, San Diego, California: Barracks for enlisted men, $300,000; galley and mess hall for enlisted men, $300,000; services, accessories, and equipment for barracks and mess hall, $125,000;

San Diego, Calif., air station.

Naval War College, Newport, Rhode Island: Addition to library building and accessories, $155,000.

Naval War College, Newport, R. I.

BUREAU OF AERONAUTICS

Bureau of Aeronautics.

AVIATION, NAVY

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1937, $750,000; for maintenance, repair, and operation of aircraft factory, air stations, fleet air bases, fleet and all other aviation activities, accident prevention, testing laboratories, for overhauling of planes, and for the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, $18,064,000, including $250,000 for the equipment of vessels with catapults and including not to exceed $50,000 for the procurement of helium, which sum of $50,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1937, in addition to which sum the Bureau of Mines may use for helium-plant operation in the fiscal year 1938 the unexpended balance of funds transferred to it for such operation in the fiscal year 1937, and the Bureau may lease, after competition, surplus metal cylinders acquired for use as helium containers; for continuing experiments and development work on all types of aircraft, including the payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed, $3,500,000; for new construction and procurement of aircraft and equipment, spare parts and accessories, $27,186,000, of which amount not to exceed $13,000,000 shall be available for the payment of obligations incurred under the contract authorization carried in the Navy Appropriation Act for the fiscal year 1937; in all, $49,500,000, and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,582,340: *Provided further*, That in addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1938, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of $15,000,000: *Provided further*, That the Secretary of the Treasury is authorized and directed, upon the request of the Secretary of the Navy, to transfer not to exceed in the aggregate $50,000 from this appropriation to the appropriations "Pay, subsistence, and transportation, Navy" and "Pay, Marine Corps" to cover authorized traveling expenses of offi-

Designated aviation expenses.

Helium. *Post*, p. 602.

Developing aircraft types, etc.

New construction, etc.

Incurred obligations.

Aggregate; accounting.

Provisos. Group IV (b) employees.

Contracts for new airplanes, etc.

Transfer of sums for traveling expenses.

cers and enlisted men in connection with flying new airplanes from contractor's works to assigned station or ship, including travel to contractor's works and return of personnel to stations of duty, and the amount so transferred shall be in addition to any limitations contained in the appropriations "Pay, subsistence, and transportation, Navy" and "Pay, Marine Corps": *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coast of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of $500.

Number of coast stations limited.

Airplane factory construction forbidden.

Adjustment of damage claims.

MARINE CORPS

Marine Corps.

PAY, MARINE CORPS

Pay, etc., officers on active list.

Pay of officers, active list: For pay and allowances prescribed by law for all officers on the active list—pay and allowance, $4,166,211, including not to exceed $245,017 for increased pay for making aerial flights, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of $1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; subsistence allowance, $532,608; rental allowance, $653,181; in all, $5,352,000; and no part of such sum shall be available to pay active-duty pay and allowances to officers on the retired list;

Retired officers.

For pay of officers prescribed by law on the retired list, $1,425,000;

Enlisted men, active list.

Pay of enlisted men, active list: For pay and allowances of noncommissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United States Marine Corps traveling under orders, including not to exceed $250 for the expenses of attendance upon meetings of technical, professional, scientific, and other organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Marine Corps, and including additional compensation for enlisted men of the Marine Corps qualified as expert riflemen, sharpshooters, marksmen, or regularly detailed as gun captains, gun pointers, cooks, messmen, including interest on deposits by enlisted men, post-exchange debts of deserters, and of men discharged or sentenced to terms of imprisonment while in debt to the United States, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men, and for prizes for excellence in gunnery exercises and target practice, and communication competitions, and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore, and for gratuities to enlisted men discharged not under honorable conditions—pay and allowances, $8,204,512; allowance for lodging and subsistence, $640,488; in all, $8,845,000;

Pay and allowances.

Retired enlisted men.

For pay and allowances prescribed by law of enlisted men on the retired list, $841,000;

Undrawn clothing.

Undrawn clothing: For payment to discharged enlisted men for clothing undrawn, $320,000;

Marine Corps Reserve.

For pay and allowances of the Marine Corps Reserve (a) excluding transferred and assigned men, $923,720; (b) transferred men, $443,280; in all, $1,367,000.

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, $150,000; Mileage, etc.

In all, $18,300,000, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund. Aggregate; accounting.

PAY OF CIVIL EMPLOYEES, MARINE CORPS

Pay of civil force: For personal services in the District of Columbia, as follows: Civil force at headquarters.

Offices of the Major General Commandant and adjutant inspector, $114,180;

Office of paymaster, $47,260;

Office of the quartermaster, $125,020; in all, $286,460: *Provided*, That the total number of enlisted men on duty at Marine Corps headquarters on May 7, 1930, shall not be increased, and in lieu of enlisted men whose services at such headquarters shall be terminated for any cause prior to July 1, 1938, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, either or both the appropriations "Pay, Marine Corps" and "General expenses, Marine Corps" shall be available. *Proviso.* Number of enlisted men at headquarters. Vacancies to be filled by civilians. Pay rates. 5 U. S. C. §§ 661–674.

GENERAL EXPENSES, MARINE CORPS General expenses.

For every expenditure requisite for, and incident to, the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows: Authorized work.

For provisions, subsistence, board and lodging of enlisted men, recruits and recruiting parties, and applicants for enlistment, cash allowance for lodging and subsistence to enlisted men traveling on duty; ice, ice machines and their maintenance, $2,697,153; Provisions, etc.

For clothing for enlisted men, $900,000; Clothing.

For fuel, heat, light, and power, including sales to officers, $470,000; Fuel, etc.

For military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted men by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions, $610,000; Military supplies, etc. Purchase, preservation, etc. Prizes, badges, etc.

For transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; toilet kits for issue to recruits upon their first enlistment and other incidental expenses of the recruiting service; and for transportation for dependents of officers and enlisted men, $300,000; Transportation, etc. Dependents.

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; for the renting, leasing, and improvement of buildings in the District of Columbia, and at such other places as the public exigencies require, and the erection of temporary buildings upon the approval of the Secretary of the Navy at a total cost of not to exceed $10,000 during the year, $400,000; Repairs, etc., to barracks, quarters, etc.

For forage and stabling of public animals and the authorized number of officers' horses, $20,000; Forage, etc.

For miscellaneous supplies, material, equipment, personal and other services, and for other incidental expenses for the Marine Corps not otherwise provided for; purchase, repair, and exchange Miscellaneous supplies, etc.

Vehicles, etc.

Horses, etc.

Funeral expenses.

Proviso.
Purchase of vehicles.

Marine Corps Reserve.

Accounting.
Proviso.
Group IV (b) employees.

of typewriters and calculating machines; purchase and repair of furniture and fixtures; repair of motor-propelled passenger-carrying vehicles; and purchase, exchange, and repair of horse-drawn passenger-carrying and other vehicles, including parts; veterinary services and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers and enlisted men and accepted applicants for enlistment and retired officers on active duty, including the transportation of their bodies, arms, and wearing apparel from the place of demise to the homes of the deceased in the United States; construction, operation, and maintenance of laundries; and for all emergencies and extraordinary expenses, $2,330,600: *Provided*, That there may be expended out of this appropriation (including the exchange value of any vehicle that may be used as part payment) for the purchase of motor-propelled passenger-carrying vehicles, the gross cost of any one vehicle not to be in excess of the respective amounts as follows: Two at $1,600 each; two at $900 each; eight at $700 each; ten station wagons at $700 each; and five motorcycles at $300 each;

Marine Corps Reserve: For clothing, including clothing for aviation cadets, subsistence, heat, light, transportation, and miscellaneous expenses, $266,000;

In all, $7,993,753, to be accounted for as one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $80,000.

Replacement of naval vessels.

REPLACEMENT OF NAVAL VESSELS

Construction and machinery.
Post, p. 767.
Destroyers and submarines.
48 Stat. 503.

Provisos.
Group IV (b) employees.

Test boilers for navy yards.

Technical services.

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part), and for the commencement of the following vessels authorized by the Act approved March 27, 1934 (48 Stat. 503–505), eight destroyers and four submarines, $90,000,000, to remain available until expended: *Provided*, That the sum to be paid out of the amount available for expenditure under the head of "Construction and machinery" for the fiscal year 1938 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $4,570,000: *Provided further*, That not to exceed $390,000 of the amount available for expenditure under the head of "Construction and machinery" for the fiscal year 1938 shall be available for the purchase and installation of test boilers for navy yards engaged in new construction: *Provided further*, That, of the appropriations made available by this Act under the head of "Replacement of naval vessels", there shall be available such sums as the Secretary of the Navy may from time to time determine to be necessary for the engagement of technical services, and the employment of personnel in the Navy Department and in the field, the purchase of plans, drafting and other supplies, and the expenses of printing and travel, in addition to those otherwise provided for, owing to the construction of vessels which have been, or may hereafter be authorized.

Armor, armament, and ammunition for vessels.

Armor, armament, and ammunition: Toward the armor, armament, and ammunition for vessels hereinbefore described under the head of

"Construction and machinery", $40,000,000, to remain available until expended: *Provided*, That the sum to be paid out of the amount available for expenditure under this head for the fiscal year 1938 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,300,000.

Proviso. Group IV (b) employees.

The appropriations made in this Act for the purchase or manufacture of equipment or material or of a particular class of equipment or material shall be available for the purchase of letters patent, applications for letters patent, licenses under letters patent, and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

Purchase of letters patent, etc.

No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department in the District of Columbia, including personal services of civilians and of enlisted men of the Navy, except as herein expressly authorized: *Provided*, That there may be detailed to the Bureau of Navigation not to exceed at any one time seven enlisted men of the Navy: *Provided further*, That enlisted men detailed to the Navy Dispensary and the Radio Communication Service shall not be regarded as detailed to the Navy Department in the District of Columbia.

Department use limited.

Provisos. Details to Bureau of Navigation. Designated services not regarded as details.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government: *Provided*, That nothing herein shall be construed as altering or repealing the provisos contained in the Acts to authorize the construction of certain naval vessels, approved February 13, 1929, and March 27, 1934, which provide that the first and succeeding alternate vessels in each category, except the fifteen-thousand-ton aircraft carrier, upon which work is undertaken, together with the main engines, armor, and armament shall be constructed or manufactured in the Government navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States, except such material or parts as are not customarily manufactured in such Government plants.

No pay to officer, etc., using time-measuring device on work of employee.

Cash rewards prohibited.

Repairs, etc., other than at navy yards, etc., restricted.

Proviso. Construction, first and alternate vessels at Government yards, factories, etc., required. 45 Stat. 1165; 48 Stat. 503. 34 U. S. C. § 495.

No part of the funds herein apropriated [1] shall be available to pay a contractor upon any contract for a naval vessel entered into under authority of this Act unless, at the time of filing his bid, he shall also file the estimates upon which such bid was based.

Contractors to furnish estimates.

[1] So in original.

Navy Department.

NAVY DEPARTMENT

SALARIES

Salaries.

For compensation for personal services in the District of Columbia, as follows:

Secretary, Assistant, and civilian personnel in offices, etc., designated

Office of the Secretary of the Navy: Secretary of the Navy, Assistant Secretary of the Navy, and other personal services, $189,130.

General Board, $12,560.

Naval examining and retiring boards, $10,580.

Compensation board, $6,840.

Office of Naval Records and Library, $34,080.

Office of Judge Advocate General, $120,920.

Office of Chief of Naval Operations, $69,260.

Board of Inspection and Survey, $19,840.

Office of Director of Naval Communications, $130,000.

Office of Naval Intelligence, $72,250.

Bureau of Navigation, $480,040.

Hydrographic Office, $408,000.

American Ephemeris, etc.

Naval Observatory, including $2,500 for pay of computers on piecework in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, $171,560.

Bureau of Engineering, $307,400.

Bureau of Construction and Repair, $347,479.

Bureau of Ordnance, $149,000.

Bureau of Supplies and Accounts, $801,440.

Bureau of Medicine and Surgery, $83,720.

Bureau of Yards and Docks, $276,800.

Bureau of Aeronautics, $358,800.

In all, salaries, Navy Department, $4,049,699.

Salaries limited to average rates under Classification Act. 5 U. S. C. §§ 661–674. Exception.

In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Navy, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Proviso.
Restriction not applicable to clerical-mechanical service.

No reduction in fixed salaries. 42 Stat. 1490.

Transfers without reduction.

Payment under higher rate.

If only one position in a grade.

CONTINGENT EXPENSES

Department contingent expenses.

For professional and technical books and periodicals, law books, and necessary reference books, including city directories, railway guides, freight, passenger, and express tariff books and photostating, for department library; for purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; for stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase and exchange of motor trucks or motor-delivery wagons, maintenance, repair, and operation of motor trucks or motor-delivery wagons; garage rent; street-car fares; freight, expressage, postage, typewriters, and computing machines, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, $105,000; it shall not be lawful to expend, unless otherwise specifically provided herein, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

Naval records of the World War.

Naval service appropriations not to be used for Department expenses.

PRINTING AND BINDING

Printing and binding

For printing and binding for the Navy Department and the Naval Establishment executed at the Government Printing Office, $490,000, including not exceeding $102,000 for the Hydrographic Office and $2,800 for the Naval Reserve Officers' Training Corps.

PRINTING HISTORICAL AND NAVAL DOCUMENTS

Historical and naval documents.

For continuing the printing of historical and naval documents, including composition, clerical copying in the Navy Department, and other preparatory work, in accordance with the provisions of the appropriation made for the commencement of this work as contained in the Naval Appropriation Act for the fiscal year 1935, $20,000, together with the unexpended balance for this purpose for the fiscal year 1937: *Provided*, That nothing in such Act shall preclude the Public Printer from furnishing one hundred and fifty copies of each volume published to the Library of Congress.

48 Stat. 414.
Balance reappropriated.
49 Stat. 1419.

Proviso.
Copies to Library of Congress.

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

Hydrographic Office.

Contingent and miscellaneous expenses.

For purchase and printing of nautical books, charts, and sailing directions, copper plates, steel plates, chart paper, packing boxes, chart portfolios, electrotyping copper plates, cleaning copper plates; tools, instruments, power, and material for drawing, engraving, and printing; materials for and mounting charts; reduction of charts by photography; photolithographing charts for immediate use; transfer of photolithographic and other charts to copper; purchase of equipment for the storage of plates used in making charts and for the storage of Hydrographic Office charts and publications; purchase of temperature and humidity control equipment for lithographic pressroom; modernization, care, and repair to printing presses, furniture, instruments, and tools; extra drawing and engraving; translating from foreign languages; telegrams on public business; preparation of pilot charts and their supplements, and printing and mailing same; purchase of data for charts and sailing directions and other nautical publications; books of reference and works and periodicals

Charts, etc.

relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, and to other professional and technical subjects connected with the work of the Hydrographic Office, $78,000.

Branches.

For contingent expenses of branch hydrographic offices at Boston, New York, Philadelphia, Baltimore, Norfolk, Savannah, New Orleans, San Francisco, Portland (Oregon), Portland (Maine), Chicago, Cleveland, Detroit, Buffalo, Duluth, Sault Sainte Marie, Seattle, Panama, San Juan (Puerto Rico), Los Angeles, Honolulu, and Galveston, including furniture, fuel, lights, works, and periodicals, relating to hydrography, marine meteorology, navigation, surveying, oceanography and terrestrial magnetism, stationery, miscellaneous articles, rent and care of offices, care of time balls, carfare and ferriage in visiting merchant vessels, freight and express charges, telegrams, and other necessary expenses incurred in collecting the latest information for pilot charts, and for other purposes for which the offices were established, $11,380.

For services of necessary employees at branch offices, $47,220.

Naval Observatory.

CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

Library.
Apparatus, etc.

For professional and scientific books, books of reference, periodicals, engravings, photographs, and fixtures for the library; for apparatus and instruments, and for repairs of the same; for repairs to buildings (including quarters), fixtures, and fences; for cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; for fuel, oil, grease, pipe, wire, and other materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; purchase and maintenance of teams; maintenance, repair, and operation of motor trucks and passenger automobiles, and of horse-drawn vehicles; telegraph and telephone service; and other absolutely necessary expenses, $27,000.

Government-owned automobiles.
Use restricted to official business.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the Department. This section shall not apply to any motor vehicle for official use of the Secretary of the Navy, and no other persons connected with the Navy Department or the naval service, except the commander in chief of the United States Asiatic Fleet, Marine Corps officers serving with expeditionary forces in foreign countries, and medical officers on out-patient medical service, shall have a Government-owned motor vehicle assigned for their exclusive use.

Transportation between domicile and place of employment.

Exceptions.

Approved, April 27, 1937.

[CHAPTER 141]

AN ACT

Relative to the classification of bills or statements of account produced by photostatic or mechanical process.

April 27, 1937
[H. R. 1521]
[Public, No 55]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 206 (a) of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, as amended (43 Stat. 1053; U. S. C., 1934 edition, title 39, sec. 235), is hereby amended by inserting before the period at the end of such section a comma and the following: "but bills or statements of account produced by any photographic or mechanical process shall not be accepted as mail matter of the third class unless presented in quantities of twenty or more identical copies. When such bills or statements are not identical or are presented in quantities of less than twenty identical copies, they shall be subject to postage at the first-class rate".

Postal Service, mail matter
Postage rate, bills or statements produced by mechanical process
43 Stat. 1067.
39 U. S. C. § 235.

Approved, April 27, 1937.

[CHAPTER 142]

AN ACT

To amend an Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida, at Orlando, Florida", approved June 15, 1933.

April 27, 1937
[H. R. 2905]
[Public, No. 56]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida, at Orlando, Florida", approved June 15, 1933, be, and the same is hereby, amended by adding at the end thereof the following proviso, to wit: "*Provided further*, That nothing in this Act shall be construed to prevent the provision of quarters for the officers of said court and appropriate courtrooms for the holding of the sessions of said court in any new Federal building which may be constructed in Orlando, Florida."

Florida Southern Judicial District
Orlando, courtrooms, etc.
48 Stat. 147.
28 U. S. C. § 149.

Approved, April 27, 1937.

[CHAPTER 143]

AN ACT

To simplify accounting.

April 27, 1937
[H. R. 5757]
[Public, No. 57]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, in making payments for commodities or services the quantity of which is determined by metered readings, such as gas, electricity, water, steam, and the like, where the period covered by the charge begins in one fiscal year or allotment period and ends in another, the entire amount of the payment may be regarded as a charge against the appropriation or allotment current at the end of such period.

Simplification of accounting.
Payments for metered services.

Approved, April 27, 1937.

[CHAPTER 144]

AN ACT

April 27, 1937
[H. R. 5896]
[Public, No 58]

To provide for the prevention of blindness in infants born in the District of Columbia.

District of Columbia.
Prevention of blindness in infants born in.
Health officer to furnish prophylactic.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the health officer of the District of Columbia shall cause to be provided in suitable containers a 1 per centum solution of silver nitrate or other preparation which in his opinion is suitable for use as a prophylactic against inflammation of the eyes of the new-born child, the contents of each container being the exact quantity necessary for the treatment of one eye and two such containers shall be furnished for use in each case of childbirth. It shall be the duty of each physician, midwife, or other person in attendance upon any case of childbirth to administer immediately upon delivery such solution as a prophylactic against inflammation of the eyes of said new-born child. It shall be the duty of each midwife or other person, except licensed physicians, to secure containers of such solution from the health officer for use in each case of childbirth.

Administration at birth.

Eye inflammation attended by discharge; transmission of information to health officer.

SEC. 2. Whenever any physician, midwife, or other person in attendance upon any case of childbirth finds that the new-born child has inflammation of the eyes, attended by a discharge therefrom, such physician, midwife, or other person shall communicate such fact in writing to the health officer within six hours after the existence of such discharge becomes known to such physician, midwife, or other person. Upon receipt of such communication the health officer, unless he finds such report to be incorrect, shall issue an order directing the parents of such child (or other person charged with its care) either to (1) place such child in the care of a registered physician or (2) submit immediately satisfactory proof of inability to pay for such medical service. If the health officer finds that the parents or such other person are unable to pay for such medical treatment, he shall order the parents (or such other person) to place the child in a hospital to be designated by the Board of Public Welfare and at the expense of said Board.

Duties of health officer.

Hospital care where parents unable to pay

Treatment by other than registered physician.

SEC. 3. No person other than a registered physician shall treat any case of inflammation of the eyes, attended by a discharge therefrom, of a new-born child for any period longer than may be necessary to obtain the services of a registered physician.

Penalty provision.

SEC. 4. Any person convicted of violating any provision of this Act, or any order or regulation issued pursuant to the provisions of this Act, shall be fined not more than $100 or imprisoned not more than thirty days, or both.

Approved, April 27, 1937.

[CHAPTER 145]

JOINT RESOLUTION

April 27, 1937
[H. J. Res. 319]
[Pub. Res., No. 26]

Making an appropriation for the control of outbreaks of insect pests.

Insect pest and plant disease control.
Appropriation for expenses.
Ante, p. 57.
Post, p. 514.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for carrying out the purposes of and for expenditures authorized under the public resolution entitled "Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs", approved April 6, 1937, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,000,000, to remain available until June 30, 1938: *Provided*, That, in the discretion of the Secretary of Agriculture, no part of

Availability.
Provisos.
State cooperation.

this appropriation shall be expended for control of grasshoppers, Mormon crickets, or chinch bugs in any State until such State has provided the organization or materials and supplies necessary for cooperation: *Provided further*, That this appropriation shall be expended under the personal supervision and direction of the Secretary of Agriculture, who shall make a detailed report to the Secretary of the Senate and the Clerk of the House of Representatives of the several items of expenditures made hereunder: *Provided further*, That transportation of control materials purchased under this appropriation shall be under conditions and means determined by the Secretary of Agriculture as most advantageous to the Federal Government: *Provided further*, That procurements under this appropriation may be made by open market purchases notwithstanding the provisions of section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5).

Supervision of expenditures.

Transportation of control materials.

Open market purchases.
R. S. § 3709.
41 U. S. C. § 5.

Approved, April 27, 1937.

[CHAPTER 146]

JOINT RESOLUTION

May 1, 1937
[S. J. Res. 51]
[Pub. Res., No. 27]

To amend the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war", approved August 31, 1935, as amended, is amended to read as follows:

Neutrality Act of 1935, amendments.
49 Stat. 1081.
22 U. S. C., Supp. II, §§ 245a-245i.

"EXPORT OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

Arms, ammunition, and implements of war.

"SECTION 1. (a) Whenever the President shall find that there exists a state of war between, or among, two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to any belligerent state named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state.

Export embargo upon, during a state of war.

"(b) The President shall, from time to time, by proclamation, extend such embargo upon the export of arms, ammunition, or implements of war to other states as and when they may become involved in such war.

Extension to other states.

"(c) Whenever the President shall find that a state of civil strife exists in a foreign state and that such civil strife is of a magnitude or is being conducted under such conditions that the export of arms, ammunition, or implements of war from the United States to such foreign state would threaten or endanger the peace of the United States, the President shall proclaim such fact, and it shall thereafter

Civil strife within a foreign state.

Export to a neutral state for transshipment, etc.

be unlawful to export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from any place in the United States to such foreign state, or to any neutral state for transshipment to, or for the use of, such foreign state.

Enumeration of prohibited exports.

Categories included. 49 Stat. 3503.

"(d) The President shall, from time to time by proclamation, definitely enumerate the arms, ammunition, and implements of war, the export of which is prohibited by this section. The arms, ammunition, and implements of war so enumerated shall include those enumerated in the President's proclamation Numbered 2163, of April 10, 1936, but shall not include raw materials or any other articles or materials not of the same general character as those enumerated in the said proclamation, and in the Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, signed at Geneva June 17, 1925.

Raw materials, etc., excluded.

Punishment for violation.

"(e) Whoever, in violation of any of the provisions of this Act, shall export, or attempt to export, or cause to be exported, arms, ammunition, or implements of war from the United States shall be fined not more than $10,000, or imprisoned not more than five years, or both, and the property, vessel, or vehicle containing the same shall be subject to the provisions of sections 1 to 8, inclusive, title 6, chapter 30, of the Act approved June 15, 1917 (40 Stat. 223–225; U. S. C., 1934 ed., title 22, secs. 238–245).

Seizure and forfeiture. 40 Stat. 223–225. 22 U. S. C. §§ 238–245.

Disposition of forfeited arms, etc.

"(f) In the case of the forfeiture of any arms, ammunition, or implements of war by reason of a violation of this Act, no public or private sale shall be required; but such arms, ammunition, or implements of war shall be delivered to the Secretary of War for such use or disposal thereof as shall be approved by the President of the United States.

Revocation of proclamation.

"(g) Whenever, in the judgment of the President, the conditions which have caused him to issue any proclamation under the authority of this section have ceased to exist, he shall revoke the same, and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed, or forfeitures incurred, prior to such revocation.

Export of other articles and materials.

"EXPORT OF OTHER ARTICLES AND MATERIALS

Restriction on, after state of war proclaimed.

"SEC. 2. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act and he shall thereafter find that the placing of restrictions on the shipment of certain articles or materials in addition to arms, ammunition, and implements of war from the United States to belligerent states, or to a state wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to transportation on or over lands bordering on the United States, for any American vessel to carry such articles or materials to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this Act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists. The President shall by proclamation from time to time definitely enumerate the articles and materials which it shall be unlawful for American vessels to so transport.

American vessel prohibited from carrying, to belligerent state or state where civil strife exists; exceptions.

Enumeration of articles and materials.

Additional exportation and transportation restrictions; exceptions.

"(b) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act and he shall thereafter find that the placing of restrictions on the export of articles or materials from the United States to belligerent states, or to a state

wherein civil strife exists, is necessary to promote the security or preserve the peace of the United States or to protect the lives or commerce of citizens of the United States, he shall so proclaim, and it shall thereafter be unlawful, except under such limitations and exceptions as the President may prescribe as to lakes, rivers, and inland waters bordering on the United States, and as to transportation on or over land bordering on the United States, to export or transport, or attempt to export or transport, or cause to be exported or transported, from the United States to any belligerent state, or to any state wherein civil strife exists, named in such proclamation issued under the authority of section 1 of this Act, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists, any articles or materials whatever until all right, title, and interest therein shall have been transferred to some foreign government, agency, institution, association, partnership, corporation, or national. The shipper of such articles or materials shall be required to file with the collector of the port from which they are to be exported a declaration under oath that there exists in citizens of the United States no right, title, or interest in such articles or materials, and to comply with such rules and regulations as shall be promulgated from time to time by the President. Any such declaration so filed shall be a conclusive estoppel against any claim of any citizen of the United States of right, title, or interest in such articles or materials. Insurance written by underwriters on any articles or materials the export of which is prohibited by this Act, or on articles or materials carried by an American vessel in violation of subsection (a) of this section, shall not be deemed an American interest therein, and no insurance policy issued on such articles or materials and no loss incurred thereunder or by the owner of the vessel carrying the same shall be made a basis of any claim put forward by the Government of the United States.

Transfer of title to foreign government, etc.

Sworn declaration by shipper.

Declaration an estoppel against American claims, etc.

Insurance provisions.

"(c) The President shall from time to time by proclamation extend such restrictions as are imposed under the authority of this section to other states as and when they may be declared to become belligerent states under proclamations issued under the authority of section 1 of this Act.

Extension of restrictions to other states.

"(d) The President may from time to time change, modify, or revoke in whole or in part any proclamations issued by him under the authority of this section.

Modification, etc., of proclamations.

"(e) Except with respect to offenses committed, or forfeitures incurred, prior to May 1, 1939, this section and all proclamations issued thereunder shall not be effective after May 1, 1939.

Duration of section, etc.

"FINANCIAL TRANSACTIONS

Financial transactions.

"SEC. 3. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act, it shall thereafter be unlawful for any person within the United States to purchase, sell, or exchange bonds, securities, or other obligations of the government of any belligerent state or of any state wherein civil strife exists, named in such proclamation, or of any political subdivision of any such state, or of any person acting for or on behalf of the government of any such state, or of any faction or asserted government within any such state wherein civil strife exists, or of any person acting for or on behalf of any faction or asserted government within any such state wherein civil strife exists, issued after the date of such proclamation, or to make any loan or extend any credit to any such government, political subdivision, faction, asserted government, or person, or to solicit or receive any contribution for

Dealing in obligations of belligerent, etc., state, unlawful.

Civil strife, etc.

Proviso. Discretionary exceptions

any such government, political subdivision, faction, asserted government, or person: *Provided*, That if the President shall find that such action will serve to protect the commercial or other interests of the United States or its citizens, he may, in his discretion, and to such extent and under such regulations as he may prescribe, except from the operation of this section ordinary commercial credits and short-time obligations in aid of legal transactions and of a character customarily used in normal peacetime commercial transactions. Nothing in this subsection shall be construed to prohibit the solicitation or collection of funds to be used for medical aid and assistance, or for food and clothing to relieve human suffering, when such solicitation or collection of funds is made on behalf of and for use by any person or organization which is not acting for or on behalf of any such government, political subdivision, faction, or asserted government, but all such solicitations and collections of funds shall be subject to the approval of the President and shall be made under such rules and regulations as he shall prescribe.

Unofficial solicitations to relieve human suffering.

Approval required.

Existing indebtedness, etc.

"(b) The provisions of this section shall not apply to a renewal or adjustment of such indebtedness as may exist on the date of the President's proclamation.

Penalty provision.

"(c) Whoever shall violate the provisions of this section or of any regulations issued hereunder shall, upon conviction thereof, be fined not more than $50,000 or imprisoned for not more than five years, or both. Should the violation be by a corporation, organization, or association, each officer or agent thereof participating in the violation may be liable to the penalty herein prescribed.

Provisions inapplicable on revocation of proclamation; exception.

"(d) Whenever the President shall have revoked any such proclamation issued under the authority of section 1 of this Act, the provisions of this section and of any regulations issued by the President hereunder shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

Exceptions.

"EXCEPTIONS—AMERICAN REPUBLICS

American republics.

"SEC. 4. This Act shall not apply to an American republic or republics engaged in war against a non-American state or states, provided the American republic is not cooperating with a non-American state or states in such war.

National Munitions Control Board.

"NATIONAL MUNITIONS CONTROL BOARD

Establishment, composition, etc.

"SEC. 5. (a) There is hereby established a National Munitions Control Board (hereinafter referred to as the 'Board') to carry out the provisions of this Act. The Board shall consist of the Secretary of State, who shall be chairman and executive officer of the Board, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, and the Secretary of Commerce. Except as otherwise provided in this Act, or by other law, the administration of this Act is vested in the Department of State. The Secretary of State shall promulgate such rules and regulations with regard to the enforcement of this section as he may deem necessary to carry out its provisions. The Board shall be convened by the chairman and shall hold at least one meeting a year.

Administration of Act.

Rules and regulations.

Board meetings.

Registration of persons engaged in manufacture or traffic in arms, etc.

"(b) Every person who engages in the business of manufacturing, exporting, or importing any of the arms, ammunition, or implements of war referred to in this Act, whether as an exporter, importer, manufacturer, or dealer, shall register with the Secretary of State his name, or business name, principal place of business, and

places of business in the United States, and a list of the arms, ammunition, and implements of war which he manufactures, imports, or exports.

Requirements.

"(c) Every person required to register under this section shall notify the Secretary of State of any change in the arms, ammunition, or implements of war which he exports, imports, or manufactures; and upon such notification the Secretary of State shall issue to such person an amended certificate of registration, free of charge, which shall remain valid until the date of expiration of the original certificate.

Registration fee.

Every person required to register under the provisions of this section shall pay a registration fee of $500, unless he manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than $50,000 during the twelve months immediately preceding his registration, in which case he shall pay a registration fee of $100.

Issue of certificate.

Upon receipt of the required registration fee, the Secretary of State shall issue a registration certificate valid for five years, which shall be renewable for further periods of five years upon the payment for each renewal of a fee of $500 in the case of persons who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of more than $50,000 during the twelve months immediately preceding the renewal, or a fee of $100 in the case of persons who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than $50,000 during the twelve months immediately preceding the renewal.

Renewals.

Refunds of certain excess fees.

The Secretary of the Treasury is hereby directed to refund, out of any moneys in the Treasury not otherwise appropriated, the sum of $400 to every person who shall have paid a registration fee of $500 pursuant to this Act, who manufactured, exported, or imported arms, ammunition, and implements of war to a total sales value of less than $50,000 during the twelve months immediately preceding his registration.

Exporting or importing arms, etc., without license, unlawful.

"(d) It shall be unlawful for any person to export, or attempt to export, from the United States to any other state, any of the arms, ammunition, or implements of war referred to in this Act, or to import, or attempt to import, to the United States from any other state, any of the arms, ammunition, or implements of war referred to in this Act, without first having obtained a license therefor.

Maintenance of records.

"(e) All persons required to register under this section shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, such permanent records of manufacture for export, importation, and exportation of arms, ammunition, and implements of war as the Secretary of State shall prescribe.

Issuance of licenses.

"(f) Licenses shall be issued to persons who have registered as herein provided for, except in cases of export or import licenses where the export of arms, ammunition, or implements of war would be in violation of this Act or any other law of the United States, or of a treaty to which the United States is a party, in which cases such licenses shall not be issued.

Authority to export arms, etc., to cease upon issuance of proclamation.

"(g) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act, all licenses theretofore issued under this Act shall ipso facto and immediately upon the issuance of such proclamation, cease to grant authority to export arms, ammunition, or implements of war from any place in the United States to any belligerent state, or to any state wherein civil strife exists, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists; and said licenses, insofar as the grant of authority to export to the state or states named in such proclamation is concerned, shall be null and void.

Restriction on purchases from person failing to register.

"(h) No purchase of arms, ammunition, or implements of war shall be made on behalf of the United States by any officer, executive department, or independent establishment of the Government from any person who shall have failed to register under the provisions of this Act.

Sale of ordnance, etc., to Cuba; certain provisions repealed. 39 Stat. 643; 50 U. S. C. § 72.

"(i) The provisions of the Act of August 29, 1916, relating to the sale of ordnance and stores to the Government of Cuba (39 Stat. 619, 643; U. S. C., 1934 ed., title 50, sec. 72), are hereby repealed as of December 31, 1937.

Annual report of Board.

Contents.

"(j) The Board shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain such information and data collected by the Board as may be considered of value in the determination of questions connected with the control of trade in arms, ammunition, and implements of war. The Board shall include in such reports a list of all persons required to register under the provisions of this Act, and full information concerning the licenses issued hereunder.

Proclamation of articles considered arms, etc.

"(k) The President is hereby authorized to proclaim upon recommendation of the Board from time to time a list of articles which shall be considered arms, ammunition, and implements of war for the purposes of this section.

"AMERICAN VESSELS PROHIBITED FROM CARRYING ARMS TO BELLIGERENT STATES

American vessels prohibited from carrying arms, etc., to belligerent states.

"SEC. 6. (a) Whenever the President shall have issued a proclamation under the authority of section 1 of this Act, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel to carry any arms, ammunition, or implements of war to any belligerent state, or to any state wherein civil strife exists, named in such proclamation, or to any neutral state for transshipment to, or for the use of, any such belligerent state or any such state wherein civil strife exists.

Penalty provision.

"(b) Whoever, in violation of the provisions of this section, shall take, or attempt to take, or shall authorize, hire, or solicit another to take, any American vessel carrying such cargo out of port or from the jurisdiction of the United States shall be fined not more than $10,000, or imprisoned not more than five years, or both; and, in addition, such vessel, and her tackle, apparel, furniture, and equipment, and the arms, ammunition, and implements of war on board, shall be forfeited to the United States.

"USE OF AMERICAN PORTS AS BASE OF SUPPLY

Use of American ports as base of supply.

"SEC. 7. (a) Whenever, during any war in which the United States is neutral, the President, or any person thereunto authorized by him, shall have cause to believe that any vessel, domestic or foreign, whether requiring clearance or not, is about to carry out of a port of the United States, fuel, men, arms, ammunition, implements of war, or other supplies to any warship, tender, or supply ship of a belligerent state, but the evidence is not deemed sufficient to justify forbidding the departure of the vessel as provided for by section 1, title V, chapter 30, of the Act approved June 15, 1917 (40 Stat. 217, 221; U. S. C., 1934 ed., title 18, sec. 31), and if, in the President's judgment, such action will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security or neutrality of the United States, he shall have the power and it shall be his duty to require the owner, master, or person in command thereof, before

40 Stat. 221. 18 U. S. C. § 31.

departing from a port of the United States, to give a bond to the United States, with sufficient sureties, in such amount as he shall deem proper, conditioned that the vessel will not deliver the men, or any part of the cargo, to any warship, tender, or supply ship of a belligerent state.

Bond requirement.

"(b) If the President, or any person thereunto authorized by him, shall find that a vessel, domestic or foreign, in a port of the United States, has previously cleared from a port of the United States during such war and delivered its cargo or any part thereof to a warship, tender, or supply ship of a belligerent state, he may prohibit the departure of such vessel during the duration of the war.

Vessel delivering cargo to warship, etc., of a belligerent state.

"SUBMARINES AND ARMED MERCHANT VESSELS

Submarines and armed merchant vessels.

"SEC. 8. Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply.

Restriction on entry and departure of, of a foreign state

Proclamation.

Revocation of proclamation.

"TRAVEL ON VESSELS OF BELLIGERENT STATES

"SEC. 9. Whenever the President shall have issued a proclamation under the authority of section 1 of this Act it shall thereafter be unlawful for any citizen of the United States to travel on any vessel of the state or states named in such proclamation, except in accordance with such rules and regulations as the President shall prescribe: *Provided, however*, That the provisions of this section shall not apply to a citizen of the United States traveling on a vessel whose voyage was begun in advance of the date of the President's proclamation, and who had no opportunity to discontinue his voyage after that date: *And provided further*, That they shall not apply under ninety days after the date of the President's proclamation to a citizen of the United States returning from a foreign state to the United States. Whenever, in the President's judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply with respect to the state or states named in such proclamation, except with respect to offenses committed prior to such revocation.

Travel on vessels of belligerent states; restriction.

Provisos.
Citizens in transit.

Citizens returning to United States.

Revocation of proclamation.

"ARMING OF AMERICAN MERCHANT VESSELS PROHIBITED

"SEC. 10. Whenever the President shall have issued a proclamation under the authority of section 1, it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel engaged in commerce with any belligerent state, or any state wherein civil strife exists, named in such proclamation, to be armed or to carry any armament, arms, ammunition, or implements of war, except small arms and ammunition therefor which the President may deem necessary and shall publicly designate for the preservation of discipline aboard such vessels.

Arming of American merchant vessels prohibited.

"REGULATIONS

Regulations.

"SEC. 11. The President may, from time to time, promulgate such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out any of the provisions of this Act; and he may exercise any power or authority conferred on him by this Act through such officer or officers, or agency or agencies, as he shall direct.

"GENERAL PENALTY PROVISION

General penalty provision.

"SEC. 12. In every case of the violation of any of the provisions of this Act or of any rule or regulation issued pursuant thereto where a specific penalty is not herein provided, such violator or violators, upon conviction, shall be fined not more than $10,000, or imprisoned not more than five years, or both.

Definitions.

"DEFINITIONS

"SEC. 13. For the purposes of this Act—

"United States."

"(a) The term 'United States', when used in a geographical sense, includes the several States and Territories, the insular possessions of the United States (including the Philippine Islands), the Canal Zone, and the District of Columbia.

"Person."

"(b) The term 'person' includes a partnership, company, association, or corporation, as well as a natural person.

"Vessel."

"(c) The term 'vessel' means every description of watercraft (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on, under, or over water.

"American vessel."

"(d) The term 'American vessel' means any vessel (including aircraft) documented under the laws of the United States.

"Vehicle."

"(e) The term 'vehicle' means every description of carriage (including aircraft) or other contrivance used, or capable of being used, as a means of transportation on or over land.

"State."

"(f) The term 'state' shall include nation, government, and country.

"SEPARABILITY OF PROVISIONS

Separability of provisions.

"SEC. 14. If any of the provisions of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"APPROPRIATIONS

Appropriations.
Post, pp. 266, 770.

"SEC. 15. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this Act."

Approved, May 1, 1937, 6.30 p. m., Central Standard Time.

[CHAPTER 147]

May 6, 1937
[H. R. 1978]
[Public, No. 59]

AN ACT

To authorize an appropriation for reconstruction at Fort Niagara, New York, to replace loss by fire.

Fort Niagara, N. Y. Appropriation authorized for reconstruction expenses.
Post, p. 452.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $54,000, or so much thereof as may be necessary for the purpose of reconstructing at Fort Niagara, New York, the building known as officers' quarters, mess hall, and assembly rooms, which was destroyed by fire in January 1936.

Approved, May 6, 1937.

[CHAPTER 148]

AN ACT

May 6, 1937
[H. R. 2909]
[Public, No. 60]

Authorizing an appropriation for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Great Britain for the account of N. J. Moosa, a British subject, as full indemnity for the personal injuries received by him as the result of a collision between a broker's trap in which he was riding and a United States Marine Corps truck at Shanghai, China, on September 13, 1928, and for medical and hospital expenses incurred by him in connection with his injuries, the sum of $15.59.

Great Britain.
Payment to, as indemnity for personal injuries to N. J. Moosa, authorized.
Post, p. 768.

Approved, May 6, 1937.

[CHAPTER 149]

AN ACT

May 6, 1937
[H. R. 2910]
[Public, No. 61]

Authorizing an appropriation for payment to the Government of the Netherlands for the account of the family of Miguel Paula.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of the Netherlands for the account of the family of Miguel Paula, a citizen of the Netherlands, for the death of Paula due to cocaine poisoning while a patient at the United States Marine Hospital at New Orleans, Louisiana, on January 23, 1931, the sum of $3,500.

The Netherlands.
Payment to, for death of Miguel Paula, authorized.
Post, p. 768.

Approved, May 6, 1937.

[CHAPTER 150]

AN ACT

May 6, 1937
[H. R. 2911]
[Public, No. 62]

Authorizing an appropriation for payment to the French Government for the account of Henry Borday, a citizen of France.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the French Government for the account of Henry Borday, a citizen of France, as compensation for personal injuries sustained by him due to an assault at his place of business at Port au Prince, Haiti, by two United States marines on October 3, 1916, the sum of $1,000.

France.
Payment to, as indemnity for personal injuries to Henry Borday, authorized.
Post, p. 768.

Approved, May 6, 1937.

[CHAPTER 151]

AN ACT

May 6, 1937
[H. R. 2912]
[Public, No. 63]

Authorizing an appropriation for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Company, Limited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Great Britain for the account of the Shanghai Electric Construction Company, Limited, as full indemnity for losses sustained by the said company as the result of a collision between United States Marine Corps truck numbered 1130 and tramcar B. 168 owned by the company in Shanghai, China, on November 29, 1929, the sum of (the equivalent of $157.20 Mexican) $78.60.

Great Britain.
Payment to, for losses sustained by Shanghai Electric Construction Company, Limited, authorized.
Post, p. 768.

Approved, May 6, 1937.

[CHAPTER 152]

AN ACT

May 6, 1937
[H. R. 2913]
[Public, No. 64]

Authorizing an appropriation for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada.

Canada.
Payment to, for injury to Janet Hardcastle Ross, authorized.
Post, p. 768.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Canada for the account of Janet Hardcastle Ross, a citizen of Canada, in full settlement of all claims for personal injury resulting from the dropping of a dummy bomb by a United States Navy airplane near Coronado, California, on March 27, 1929, the sum of $920.45.

Approved, May 6, 1937.

[CHAPTER 153]

AN ACT

May 6, 1937
[H. R. 2914]
[Public, No. 65]

Authorizing an appropriation for payment to the Government of Chile for the account of Enriqueta Koch v. de Jeanneret, a citizen of Chile.

Chile.
Payment to, for the account of Enriqueta Koch v. de Jeanneret, authorized
Post, p. 769.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Chile for the account of Enriqueta Koch v. de Jeanneret as complete indemnity for injuries to her daughter, Lucia de Jeanneret, of Valparaiso, Chile, occasioned by an assault at Valparaiso by Andrew Stanley Kondek, seaman, United States Navy, on February 4, 1921, and as reimbursement of all expenses caused thereby, the sum of $2,000.

Approved, May 6, 1937.

[CHAPTER 154]

AN ACT

May 6, 1937
[H. R. 2915]
[Public, No. 66]

Authorizing an appropriation for payment to the Government of China for the account of Li Po-tien.

China.
Payment to, as indemnity for injuries to Li Po-tien, authorized.
Post, p. 768.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Li Po-tien, a citizen of China, as compensation for personal injuries sustained as a result of an assault committed by Anthony R. Tofil, private, United States marines, at Tientsin, China, on January 2, 1929, the sum of $300.

Approved, May 6, 1937.

[CHAPTER 155]

AN ACT

May 6, 1937
[H. R. 2916]
[Public, No. 67]

Authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens.

China.
Payment to, as indemnity for injuries to certain citizens, authorized.
Post, p. 768.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Ch'u Shih-hsiang (Cheu S. Ziang), a citizen of China, the sum of $300, and for the account of Ma Jui-hsiang (Mo Zung Poo), a citizen of China, the sum of $300 in full

settlement of all claims for personal injuries sustained as a result of an assault committed by William H. Moon, corporal, United States Marines, at Shanghai, China, on May 26, 1931.

Approved, May 6, 1937.

[CHAPTER 156]

AN ACT

Authorizing an appropriation for the payment of the claim of General Higinio Alvarez, a Mexican citizen, with respect to lands on the Farmers Banco in the State of Arizona.

May 6, 1937
[H. R. 2917]
[Public, No. 68]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $20,000, of which amount $15,000 is to be paid to the Government of Mexico for the account of General Higinio Alvarez in full settlement of his claim against the United States with respect to the ownership of lands on the Farmers Banco in the State of Arizona, and the remaining $5,000 is to be paid to the executors or administrators of the estate of R. E. Fishburn, deceased, in full settlement of such interest in the said Farmers Banco or the proceeds of the settlement therefor as was acquired by virtue of a grant to R. E. Fishburn dated January 6, 1927, signed by General Alvarez, or by the assignment by General Alvarez dated December 3, 1935, in favor of Mrs. R. E. Fishburn and other heirs of said R. E. Fishburn, or by both such grant and assignment, for distribution according to law: *Provided, however*, That no payment shall be made unless and until the Secretary of State shall have received from the Government of Mexico satisfactory assurances that no transfer, other than that specified herein, has been made by General Alvarez, or by anyone acting for or under him, of any part of his right, title, or interest in or to the property comprising the Farmers Banco; until the written opinion of the Attorney General shall be had in favor of the validity of the title; and until General Alvarez has given to the United States a quitclaim deed, in such form as may be deemed satisfactory to the Secretary of State, to all of his right, title, and interest in and to all of the land comprising the Farmers Banco, claimed by him under an instrument of grant dated October 22, 1926, signed by the Constitutional President of the United Mexican States, or otherwise.

Mexico.
Payment to, in settlement of claim of General Higinio Alvarez and others, authorized.
Post, p. 769.

Proviso.
Condition.

Validity of title.

Deed.

Approved, May 6, 1937.

[CHAPTER 157]

AN ACT

Authorizing an appropriation for payment to the Government of China for the account of certain citizens of China.

May 6, 1937
[H. R. 2918]
[Public, No. 69]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of the estate of Chang Hsi Ying, in full settlement of all claims arising out of a collision in Chinese waters, on June 2, 1927, between the United States naval vessel Bittern and a Chinese junk, resulting in the drowning of Chang Hsi Ying, a member of the crew of the junk, the sum of $500.

China.
Payment to, in settlement of claims of certain citizens, authorized.
Post, p. 768.

Approved, May 6, 1937.

[CHAPTER 158]

AN ACT

May 6, 1937
[H. R. 2919]
[Public, No. 70]

Authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens.

China.
Payment to, in settlement of claims of certain citizens, authorized.
Post, p. 768.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of the estate of Li Ying-ting (Li Ing Ding), a citizen of China, the sum of $1,500 as full indemnity for the deaths of Li Yuen Han (Li Yung-hang), Wang Sze (Li Hwang-shih), Chun Wo (Li Chen-Ho), and Foh Ling (Li Fu-lin), the son, daughter-in-law, grandson, and granddaughter, respectively, of Li Ying-ting (Li Ing Ding), resulting from a collision between the junk of Li Ying-ting (Li Ing Ding), and a United States naval vessel on the Yangtze River on July 3, 1925, and for medical and burial expenses incurred by Li Ying-ting (Li Ing Ding), as a result of the collision.

Approved, May 6, 1937.

[CHAPTER 159]

AN ACT

May 6, 1937
[H. R. 2920]
[Public, No. 71]

Authorizing an appropriation for payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, a Dominican subject.

Dominican Republic.
Payment to, as compensation to widow of Emeterio Sanchez in recognition of meritorious services, authorized.
Post, p. 769.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, a Dominican subject, as a recognition by this Government of the meritorious services rendered by her late husband, Emeterio Sanchez, in rescuing certain members of the United States battleship Memphis on August 29, 1916, and to relieve her present financial condition, the sum of $500.

Approved, May 6, 1937.

[CHAPTER 160]

AN ACT

May 6, 1937
[H. R. 2921]
[Public, No. 72]

Authorizing an appropriation for payment to the Government of China for the account of Ling Mau Mau, a citizen of China.

China.
Payment to, as indemnity for injuries, etc., to Ling Mau Mau, authorized.
Post, p. 768.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Ling Mau Mau, a citizen of China, as full indemnity for the personal injuries received by him as the result of a collision between the junk of Wong Miao Fah and a United States naval vessel on the Whangpoo River, Shanghai, China, on May 20, 1930, and for medical expenses incurred by Ling Mau Mau in connection with his injuries, the sum of $1,500.

Approved, May 6, 1937.

[CHAPTER 161]

AN ACT

Authorizing an appropriation for payment to the Government of China for the account of certain Chinese citizens.

May 6, 1937
[H. R. 2922]
[Public, No. 73]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of China for the account of Yao Ah-Ken, $1,500; Chiang Ah-erh (Tsiange Ah Erh), $1,500; the family of Ts'ao Jung-k'uan (Dzao Yong Kwer), $1,500, as full indemnity for losses sustained by Yao Ah-Ken, Chiang Ah-erh (Tsiange Ah Erh), and by the family of Ts'ao Jung-k'uan (Dzao Yong Kwer) as the result of a collision between United States Marine Corps truck numbered 1130 and tramcar B. 168, owned by the Shanghai Electric Construction Company, Limited, in Shanghai, China, on November 29, 1929.

China.
Payment to, as indemnity for losses of certain citizens, authorized.
Post, p. 768.

Approved, May 6, 1937.

[CHAPTER 162]

AN ACT

Authorizing an appropriation for payment to the Government of Nicaragua for the account of Mercedes V. de Williams and others.

May 6, 1937
[H. R. 2923]
[Public, No. 74]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Nicaragua for the account of Mercedes V. de Williams, a citizen of Nicaragua, as reimbursement for the deterioration of a boat said to have been owned by Mrs. Williams' husband, Fordyce (Frank) Williams, now deceased, and to have been loaned by him to individual members of the Marine Corps stationed at Prinzapolka, Nicaragua, for recreational purposes, and to have been used by them for such purposes in 1928 and 1929, the sum of $75; for the account of Raimunda Valladares de Colderon, the widow of Justo Calderon, and the children of Justo Calderon, a native of Nicaragua, who was shot to death by a member of the United States naval forces on January 30, 1930, the sum of $2,500; for the account of Demetrio Valle, a citizen of Nicaragua, as full indemnity for losses sustained by him as the result of a bombing operation by a United States Marine Corps airplane near Palasagua, Nicaragua, on or about April 11, 1929, the sum of $600; for the account of Salvador Buitrago Diaz, a Nicaraguan citizen, as full indemnity for damages alleged to have been done to his property by United States marines on February 6, 1921, the sum of $1,500; for the account of the following-named families and individuals the sum of $11,700 as a total indemnity for losses sustained as a result of the death or personal injury of Manual Gomez Molino and others during encounters with United States marines in December 1921 and January 1922; (1) to the family of Manuel Gomez Molino, who was killed December 8, 1921, $1,500; (2) to the family of Obdulio Gomez, who was killed December 8, 1921, $1,500; (3) to the family of Guadalupe Balverve (Valverde), who was killed December 8, 1921, $1,500; (4) to the family of Francisco Ramos, who was killed January 25, 1922, $1,500; (5) to the family of Estanislao Rocha, who was killed January 25, 1922, $1,500; (6) to the family of Julio Carballo, who was killed January 25, 1922, $1,500; (7) to the family of Manuel Hernandez, who was killed January 25, 1922, $1,500; (8) to Manuel Pineda, who was wounded December 8, 1921, $150; (9) to Alejandro

Nicaragua.
Payment to, for the account of Mercedes V. de Williams and others, authorized.
Post, p. 769.

Malespin, who was wounded December 8, 1921, $150; (10) to Ignacio Doña, who was wounded December 8, 1921, $150; (11) to Manuel Aburto, who was wounded January 25, 1922, $150; (12) to Teofilo Farcia (Teofilo Garcia), who was wounded January 25, 1922, $150; (13) to Pedro R. Vega, who was wounded January 25, 1922, $150; (14) to Gilberto Lopez, who was wounded January 25, 1922, $150; (15) to Juan Ortiz, who was wounded January 25, 1922, $150; for the account of Benjamin Gonzalez, of the city of Managua, Nicaragua, as full indemnity for money expended by him because of his being wounded by shooting by Robert C. Lare, a private of the United States Marine Corps, while on police patrol in said city, the sum of $343.55; for the account of Doctors Enrique Klinghoffer and Br. Rappaccioli, of Diriamba, Nicaragua, in full satisfaction of all claims against the United States for professional services, medicines, and so forth, furnished on November 10 and 11, 1929, to the late Major Charles S. McReynolds, United States Marine Corps, who was suffering from numerous stab wounds, the sum of $250; and for the account of Juan Francisco Rivas, a resident of Leon, Nicaragua, the sum of $38.50, of which $32.50 is to reimburse the said Rivas for the cost of medical services rendered to said Rivas and his family and made necessary by an attack upon said Rivas, his wife, and child by two privates in the United States Marine Corps Expeditionary Brigade in Nicaragua, on June 5, 1927, and $6 of which is to reimburse the said Juan Francisco Rivas for clothing of his said wife, damaged during said assault; for the account of Horacio de Jesus Castillo, a citizen of Nicaragua, as full indemnity for personal injuries sustained by him as the result of an assault committed upon him by a member of the United States Marine Corps at Matagalpa, Nicaragua, on February 24, 1931, the sum of $1,000; for the account of Emelina Obando, a citizen of Nicaragua, as full compensation for personal injuries sustained as the result of an assault committed upon her by a member of the United States Marine Corps at Matagalpa, Nicaragua, on November 3, 1931, the sum of $100; for the account of the children of Jesus Diaz, a citizen of Nicaragua, as full indemnity for his death as the result of being struck by a sack of post-exchange supplies dropped from a United States Marine Corps airplane at Matagalpa, Nicaragua, on June 21, 1928, the sum of $300; for the account of Domingo Portillo, of Matagalpa, as reimbursement of expenses paid by him for the funeral of Jesus Diaz, the sum of $21.50; and for the account of José Luis Mongrio, of Matagalpa, as reimbursement for the cost of repairs to the roof of his house in that city damaged by the dropping of a sack of post-exchange supplies from a United States Marine Corps airplane on June 21, 1928, the sum of $80; in all, $18,508.55.

Approved, May 6, 1937.

[CHAPTER 163]

AN ACT

May 6, 1937
[H. R. 2925]
[Public, No. 75]

Authorizing an appropriation for payment to the Government of Great Britain for the account of certain British citizens.

Great Britain.
Payment to, as indemnity for death of Samuel Richardson, authorized.
Post, p. 768.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for payment to the Government of Great Britain for the account of the estate of Samuel Richardson, as full indemnity for the death of Samuel Richardson, who is alleged to have been killed at Consuelo, Dominican Republic, by United States marines on May 1, 1921, the sum of $1,000.

Approved, May 6, 1937.

[CHAPTER 164]

AN ACT

To authorize the Attorney General to settle outstanding claims against Chapman Field, Florida, and for other purposes.

May 6, 1937
[H. R. 4287]
[Public, No 76]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General is hereby authorized to settle, adjust, and compromise any and all outstanding claims, including that of the Royal Citrus Groves Company, adverse to the Government's title to Chapman Field, Florida, including all accretions, relictions, shoals, islands, tidelands, and underwater lands lying seaward of the fastlands included in the United States Public Land Survey of 1847, and to take such steps as he may deem necessary to remove all clouds upon the Government's title thereto, and there is hereby authorized to be appropriated the sum of $5,000, or so much thereof as may be necessary, for such purpose.

Chapman Field, Fla.
Settlement of outstanding claims against, authorized.

Appropriation authorized.

Approved, May 6, 1937.

[CHAPTER 179]

JOINT RESOLUTION

To provide emergent appropriations for certain Federal activities for the remainder of the fiscal year ending June 30, 1937.

May 14, 1937
[H. J. Res. 331]
[Pub. Res., No. 28]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to supply emergent appropriations for the continued functioning during the fiscal year ending June 30, 1937, of the following activities, respectively:

Emergent appropriations for certain Federal activities, fiscal year 1937.

SENATE

Senate.

To pay to Pearl Duke Bachman, widow of Honorable Nathan L. Bachman, late a Senator from the State of Tennessee, $10,000.

Nathan L. Bachman.
Pay to widow.

FEDERAL TRADE COMMISSION

Federal Trade Commission.

Salaries and expenses: For an additional amount for five Commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, $290,000.

Salaries and expenses.

Printing and binding: For an additional amount for all printing and binding for the Federal Trade Commission, fiscal year 1937, $7,500.

Printing and binding.

INTERSTATE COMMERCE COMMISSION

Interstate Commerce Commission.

Air mail: For an additional amount to enable the Interstate Commerce Commission to perform the duties imposed upon it by the Act approved June 12, 1934, entitled "An Act to revise air-mail laws, and to establish a commission to make a report to the Congress recommending an aviation policy" (U. S. C., title 39, secs. 469–469q) as amended by the Act approved August 14, 1935, entitled "An Act to amend the air-mail laws and to authorize the extension of the Air Mail Service" (49 Stat. 614–619), including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, $20,000: *Provided*, That the limitation of $130,000 on the amount that may be expended for the personal services in the District of Columbia from the appropriation for air mail contained in the Independent Offices Appropriation Act, 1937, is hereby increased to $145,000.

Air mail.

48 Stat. 933, 1243.
39 U. S. C. §§ 469–469q.

49 Stat. 614–619.
39 U. S. C., Supp. II, §§ 469a–469m.

49 Stat. 1175.

Proviso.
Amount for services in the District increased.

Motor transport regulation, expenses.

49 Stat. 543–567.
49 U. S. C., Supp. II, §§ 301–327.
49 Stat. 1175.

Provisos.
Automobiles, price limitation.

Motor transport regulation: For an additional amount for all authorized expenditures necessary to enable the Interstate Commerce Commission to carry out the provisions of the Motor Carrier Act, approved August 9, 1935 (49 Stat. 543–567), including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, $350,000: *Provided*, That the limitation of $3,250 on the amount that may be expended for the purchase of motor-propelled passenger-carrying vehicles from the appropriation for motor transport regulation contained in the Independent Offices Appropriation Act, 1937, is hereby increased to $30,000: *Provided further*, That Joint Board members may use Government transportation requests when traveling in connection with their duties as such members.

Use of transportation requests.

RAILROAD RETIREMENT BOARD

Railroad Retirement Board.

Salaries and expenses.

49 Stat. 1178.
Vehicles.

Salaries and expenses: For an additional amount for three Board members and for all authorized and necessary expenditures of the Railroad Retirement Board in performing the duties imposed by law or in pursuance of law, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, and including the purchase (including exchange) of two motor-propelled passenger-carrying vehicles to replace the three passenger automobiles now operated and maintained by the Board, $280,000.

DEPARTMENT OF COMMERCE

Department of Commerce.

BUREAU OF MARINE INSPECTION AND NAVIGATION

Bureau of Marine Inspection and Navigation.
Departmental salaries.

Departmental salaries: For an additional amount for the Director and other personal services in the District of Columbia, fiscal year 1937, $60,460.

Salaries and general expenses.

49 Stat. 1337.
Overtime pay, local inspectors.

Salaries and general expenses: For an additional amount for salaries of shipping commissioners, steamboat inspectors, and other personal services, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $215,900, of which amount $50,000 shall be available only for the payment of extra compensation for overtime services of local inspectors of steam vessels and their assistants, and United States shipping commissioners and their deputies and assistants, for which the United States receives reimbursement in accordance with the provisions of section 6 of the Act of May 27, 1936 (49 Stat. 1380).

TREASURY DEPARTMENT

Treasury Department.

BUREAU OF THE MINT

Bureau of the Mint.

Mints and assay offices.
49 Stat. 1841.

Motorbus.

Proviso.
Maintenance, etc.
Post, p. 151.

Salaries and expenses, mints and assay offices: For an additional amount for salaries and expenses, mints and assay offices, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, and including the purchase of one motorbus at not to exceed $1,500, and the maintenance, repair, and operation thereof for use at the Fort Knox Bullion Depository, $262,500: *Provided*, That the appropriation under this head for the fiscal year 1938 shall be available for maintenance, repair, and operation of such motorbus.

Approved, May 14, 1937.

[CHAPTER 180]

AN ACT

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1938, and for other purposes.

May 14, 1937
[H. R. 4720]
[Public, No. 77]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Treasury and Post Office Departments Appropriation Act, 1938.

TITLE I—TREASURY DEPARTMENT

Title I—Treasury Department.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1938, namely:

Appropriation for fiscal year 1938.

OFFICE OF THE SECRETARY

Secretary's office.

Salaries: Secretary of the Treasury, Under Secretary of the Treasury, three Assistant Secretaries of the Treasury, and other personal services in the District of Columbia, including the temporary employment of experts, $207,300: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Treasury and the Assistant Postmasters General, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year, and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Secretary, Under Secretary, Assistants, and office personnel.

Experts.

Provisos.
Salaries limited to average rates under Classification Act; exceptions.
5 U. S. C. §§ 661–674.

Advances in meritorious cases.

Not applicable to clerical-mechanical service.

No reduction in fixed salaries.
5 U. S. C. § 666.

Transfers without reduction.

Higher salary rates permitted.

If only one position in a grade.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934 (48 Stat. 337), the Silver Purchase Act of 1934 (48 Stat. 1178), and any Executive orders, proclamations, and regulations issued under such Acts, $30,000.

Emergency Banking, Gold Reserve, and Silver Purchase Acts, etc.
Personal services.
48 Stat. 1, 337, 1178.

DIVISION OF RESEARCH AND STATISTICS

Division of Research and Statistics.

Salaries: For personal services in the District of Columbia, $60,000.

Salaries.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of

Services in the District under designated Acts, etc.

1934 (48 Stat. 337), the Silver Purchase Act of 1934 (48 Stat. 1178), and any Executive orders, proclamations, and regulations issued under such Acts, $70,000.

Subscriptions to paid-in surplus of Federal land banks.
48 Stat. 43.

Subscriptions to paid-in surplus of Federal land banks: To enable the Secretary of the Treasury to pay for subscriptions to the paid-in surplus of Federal land banks under section 23 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (48 Stat. 31), $20,000,000, together with the unexpended balances of the fund for this purpose created by the First Deficiency Appropriation Act, fiscal year 1936, and of the appropriation for this purpose continued in the Emergency Appropriation Act, fiscal year 1935.

49 Stat. 1635; 48 Stat. 1060.

Old age reserve account, annual premium.
49 Stat. 622.
42 U. S. C., Supp. II, § 401.

Old-age reserve account, Social Security Act: For an amount sufficient as an annual premium for the payments required under title II of the Social Security Act, approved August 14, 1935 (U. S. C., title 42, sec. 401), and authorized to be appropriated to the old-age reserve account established under section 201 (a) of the Act, $500,000,000: *Provided*, That such amount shall be available until expended for making payments required under the Act, and the amounts not required for current payments shall be invested from time to time in such amounts and in such manner as the Secretary of the Treasury may deem most expedient in accordance with the provisions of such Act.

Proviso.
Availability and investment.

General Counsel's office.

OFFICE OF GENERAL COUNSEL

Salaries.

Salaries: For the General Counsel and other personal services in the District of Columbia, $97,000.

Services in the District under designated Acts, etc.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934 (48 Stat. 337), the Silver Purchase Act of 1934 (48 Stat. 1178), and any Executive orders, proclamations, and regulations issued under such Acts, $55,000.

Office of Chief Clerk and Superintendent.

OFFICE OF CHIEF CLERK AND SUPERINTENDENT

Salaries.

Operating force of designated buildings.

Salaries: For the Chief Clerk and other personal services in the District of Columbia, including the operating force of the Treasury, Liberty Loan, and Auditors' Buildings, and the Treasury Department Annex, Pennsylvania Avenue and Madison Place, and of other buildings under the control of the Treasury Department, $520,000.

Services in the District under designated Acts, etc.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), the Gold Reserve Act of 1934 (48 Stat. 337), the Silver Purchase Act of 1934 (48 Stat. 1178), and any Executive orders, proclamations, and regulations issued under such Acts, $25,000.

MISCELLANEOUS AND CONTINGENT EXPENSES, TREASURY DEPARTMENT

Department contingent expenses.
Operating expenses, Department buildings.
Books, periodicals, etc.

For miscellaneous and contingent expenses of the office of the Secretary and the bureaus and offices of the Department, including operating expenses of the Treasury, Treasury Annex, Auditors', and Liberty Loan Buildings; newspaper clippings, financial journals, books of reference, law books, technical and scientific books, newspapers, and periodicals, expenses incurred in completing imperfect series, library cards, supplies, and all other necessary expenses connected with the library; not exceeding $5,000 for traveling expenses, including the payment of actual transportation and subsistence expenses to any person whom the Secretary of the Treasury may from time to time invite to the city of Washington or elsewhere for

Traveling expenses.

conference and advisory purposes in furthering the work of the Department; freight, expressage, telegraph and telephone service; purchase and exchange of motor trucks, and maintenance and repair of motor trucks and three passenger automobiles (one for the Secretary of the Treasury and two for general use of the Department), all to be used for official purposes only; file holders and cases; fuel, oils, grease, and heating supplies and equipment; gas and electricity for lighting, heating, and power purposes, including material, fixtures, and equipment therefor; purchase, exchange, and repair of typewriters and labor-saving machines and equipment and supplies for same; floor covering and repairs thereto; furniture and office equipment, including supplies therefor and repairs thereto; awnings, window shades, and fixtures; cleaning supplies and equipment; drafting equipment; ammonia for ice plant; flags; hand trucks, ladders; miscellaneous hardware; streetcar fares not exceeding $500; thermometers; lavatory equipment and supplies; tools and sharpening same; laundry service; laboratory supplies and equipment, removal of rubbish; postage; uniforms for Treasury guards not exceeding $1,200; custody, care, protection, and expenses of sales of lands and other property of the United States, acquired and held under sections 3749 and 3750 of the Revised Statutes (U. S. C., title 40, secs. 301, 302), the examination of titles, recording of deeds, advertising, and auctioneers' fees in connection therewith; and other absolutely necessary articles, supplies, and equipment not otherwise provided for; $170,000: *Provided*, That the appropriations for the Public Debt Service, Internal Revenue Service, Federal Alcohol Administration, and Division of Disbursement for the fiscal year 1938 are hereby made available for the payment of items otherwise properly chargeable to this appropriation, the provisions of section 6, Act of August 23, 1912 (U. S. C., title 31, sec. 669), to the contrary notwithstanding: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Treasury Department when the aggregate amount involved does not exceed the sum of $50.

Vehicles.

Fuel, light, power, etc.

Furniture, etc.

Sales of lands and other property.
R. S. §§ 3749, 3750.
40 U. S. C. §§ 301, 302.

Provisos.
Additional funds.
Post, pp. 141, 143, 144.
Apportionment.

31 U. S. C. § 669.

Minor purchases without advertising.
R. S. § 3709.
41 U. S. C. § 5.

For supplies and materials, communications service, travelling expenses, equipment, and miscellaneous expenses in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933, the Gold Reserve Act of 1934, the Silver Purchase Act of 1934, and any Executive orders, proclamations, and regulations issued under such Acts, $55,000.

Expenses under designated Acts.

DIVISION OF PRINTING

Division of Printing.

Salaries: For the Chief, Division of Printing, and other personal services in the District of Columbia, $69,240.

Salaries.

Printing and binding: For printing and binding for the Treasury Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, including materials for the use of the bookbinder, located in the Treasury Department, but not including work done at the New York Customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (U. S. C., title 44, sec. 111), $775,000.

Printing and binding.

Work excluded.

40 Stat. 1270.
44 U. S. C. § 111.

Stationery: For stationery for the Treasury Department and its several bureaus and offices, and field services thereof, including tags, labels, and index cards, printed in the course of manufacturing, packing boxes and other materials necessary for shipping stationery supplies, and cost of transportation of stationery supplies purchased free on board point of shipment and of such supplies shipped from Washington to field offices, $475,000.

Stationery.

OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Accounts and Deposits office.

Salaries.

Salaries: For Commissioner of Accounts and Deposits and other personal services in the District of Columbia, including the Division of Bookkeeping and Warrants, $290,000.

Division of Disbursement.
Salaries and expenses.

Division of Disbursement, salaries and expenses: For personal services in the District of Columbia and in the field, stationery, travel, rental of equipment, and all other necessary miscellaneous and contingent expenses, $1,427,500: *Provided*, That with the approval of the Director of the Budget there may be transferred to this appropriation from funds available for the Agricultural Adjustment Administration (including transfers to the Bureau of Internal Revenue for administrative expenses), Federal Housing Administration, Federal Prison Industries, Railroad Retirement Board, Social Security Board, and the United States Maritime Commission, such sums as may be necessary to cover the expense incurred in performing the function of disbursement therefor: *Provided further*, That hereafter the provisions of the Act of August 23, 1912 (37 Stat. 375), shall not preclude the furnishing by the Division of Disbursement, Treasury Department, at the request of administrative officers, of addressographed or stenciled lists of persons receiving periodic payments from the United States, which lists, as administratively revised and certified, if otherwise in proper form, may constitute the voucher upon which the Division of Disbursement may make payment.

Provisos.
Transfer of funds from designated agencies for administrative expenses.

Use of stenciled, etc., lists in preparing payroll vouchers.
37 Stat. 375.

Contingent expenses, public moneys.
R. S. § 3653.
31 U. S. C. § 545.
Post, p. 772.

Contingent expenses, public moneys: For contingent expenses under the requirements of section 3653 of the Revised Statutes (U. S. C., title 31, sec. 545), for the collection, safe-keeping, transfer, and disbursement of the public money, transportation of notes, bonds, and other securities of the United States, salaries of special agents, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649 of the Revised Statutes (U. S. C., title 31, sec. 548), also including examinations of cash accounts at mints and cost of insurance on shipments of money by registered mail or otherwise when necessary, $200,000.

Examination of depositories.
R. S. § 3649.
31 U. S. C. § 548.

Recoinage of minor coins.

Recoinage of minor coins: To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent minor coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, $25,000.

Recoinage of silver coins.

Recoinage of silver coins: To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent subsidiary silver coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, $600,000.

Relief of the indigent, Alaska.

Relief of the indigent, Alaska: For the payment to the United States district judges in Alaska but not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska, to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, $20,000.

Refund of moneys erroneously received and covered.

Refund of moneys erroneously received and covered: To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished

under section 18 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, and any other collections erroneously received and covered which are not properly chargeable to any other appropriation, $50,000.

48 Stat. 1231
31 U. S. C. § 725q

Payment of unclaimed moneys: To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 17 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, payable from the funds held by the United States in the trust fund receipt account "Unclaimed moneys of individuals whose whereabouts are unknown", $12,000.

Payment of unclaimed moneys

48 Stat. 1230
31 U. S. C. § 725p.

PUBLIC DEBT SERVICE

Public Debt Service

Salaries and expenses: For necessary expenses connected with the administration of any public-debt issues and United States paper-currency issues with which the Secretary of the Treasury is charged, including the purchase of law books, directories, books of reference, pamphlets, periodicals, and newspapers, and the maintenance, operation, and repair of a motor-propelled bus or station wagon for use of the Destruction Committee, and including the Commissioner of the Public Debt and other personal services in the District of Columbia, $2,100,000: *Provided*, That the amount to be expended for personal services in the District of Columbia shall not exceed $2,075,000: *Provided further*, That the indefinite appropriation "Expenses of loans, Act of September 24, 1917, as amended and extended" (U. S. C., title 31, secs. 760, 761), shall not be used during the fiscal year 1938 to supplement the appropriation herein made for the current work of the Public Debt Service and the amount obligated under such indefinite appropriation during such fiscal year shall not exceed $2,978,000.

Salaries and expenses.

Reference books, etc.

Services in the District.

Provisos.
Limitation.

Use of indefinite appropriation restricted.
31 U. S. C. §§ 760, 761.

Distinctive paper for United States securities: For distinctive paper for United States currency and Federal Reserve bank currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding $50 per month each when actually on duty; in all, $716,900: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1938 between the two bidders whose prices per pound are the lowest received after advertisement.

Distinctive paper for securities.
Expenses.

Proviso.
Division of award.

DIVISION OF APPOINTMENTS

Appointments Division.

Salaries: For the Chief of the Division, and other personal services in the District of Columbia, $44,480.

Salaries.

BUREAU OF CUSTOMS

Customs Bureau.

Salaries and expenses: For collecting the revenue from customs, for the detection and prevention of frauds upon the customs revenue, and not to exceed $100,000 for the securing of evidence of violations of the customs laws; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed $84,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), but not to exceed $1,700 for any one person; not to exceed $5,000 for the hire of motor-pro-

Salaries and expenses.

Transfer of receipts from points lacking Government depositories.
Living quarters.
46 Stat. 818.
5 U. S. C. § 118a.

Quarters along borders.

pelled passenger-carrying vehicles; not to exceed $500 for subscriptions to newspapers; not to exceed $1,500 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (U. S. C., title 19, sec. 68); and including the purchase (not to exceed $87,500), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; $20,636,060, of which such amount as may be necessary shall be available for the payment of extra compensation earned by customs officers or employees for overtime services, at the expense of the parties in interest, in accordance with the provisions of section 5 of the Act approved February 13, 1911, as amended by the Act approved February 7, 1920, and section 451 of the Tariff Act, 1930 (U. S. C., title 19, secs. 261, 267, and 1451): *Provided*, That the receipts from such parties in interest for such overtime services shall be deposited as a refund to the appropriation from which such overtime compensation is paid, in accordance with the provisions of section 524 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1524); for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws, for the purchase of arms, ammunition, and accessories, and $459,180 shall be available for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930: *Provided*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in the District of Columbia except one for use in connection with the work of the customhouse in Georgetown: *Provided further*, That section 3648 of the Revised Statutes (U. S. C., title 31, sec. 529b) shall not apply to payments made for the Bureau of Customs in foreign countries.

46 Stat. 817.
19 U. S. C. § 68.

Overtime pay, at expense of parties in interest.

36 Stat. 901; 41 Stat. 402; 46 Stat. 715.
19 U. S. C. §§ 261, 267, 1451.

Provisos.
Deposit of receipts as refund to appropriation.

19 U. S. C. § 1524.
Seizures, etc., under customs laws.

Details to District from field force.
46 Stat. 741.
19 U. S. C. § 1525.

Vehicle restriction.

Advance payments in foreign countries.
R. S. § 3648.
31 U. S. C. § 529; Supp. II, § 529b.

Refunds and drawbacks.

Refunds and drawbacks: For the refund or payment of customs collections or receipts, and for the payment of debentures or drawbacks, bounties, and allowances, as authorized by law, $16,000,000.

Bureau of the Budget.

BUREAU OF THE BUDGET

Salaries and expenses.

Salaries and expenses: Director, Assistant Director, and all other necessary expenses of the Bureau, including compensation of attorneys and other employees in the District of Columbia; contract stenographic reporting services, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, traveling expenses, street car fares; $187,000.

Printing and binding.

For printing and binding, $35,000.

Treasurer's office.

OFFICE OF TREASURER OF THE UNITED STATES

Salaries.

Salaries: For treasurer of the United States, Assistant Treasurer, and for other personal services in the District of Columbia, $1,150,000.

Redeeming Federal Reserve and national currency.

For personal services in the District of Columbia, in redeeming Federal Reserve and national currency, $85,000, to be reimbursed by the Federal Reserve and national banks.

Transportation and insurance costs, gold coin, etc.
48 Stat. 337.

For costs of transportation and insurance of gold coin and gold certificates transferred to Federal Reserve banks and branches and to the Treasury in carrying out the provisions of the Gold Reserve Act of 1934, $4,000.

OFFICE OF THE COMPTROLLER OF THE CURRENCY

Comptroller's office.

Salaries: Comptroller of the Currency and other personal services in the District of Columbia, $204,300.

Salaries.

For personal services in the District of Columbia in connection with carrying out the provisions of the Emergency Banking Act, approved March 9, 1933 (48 Stat. 1), $55,300.

Personal services, Emergency Banking Act. 48 Stat. 1.

For personal services in the District of Columbia in connection with Federal Reserve and national currency, $16,380, to be reimbursed by the Federal Reserve and national banks.

Personal services, reimbursable.

BUREAU OF INTERNAL REVENUE

Internal Revenue Bureau.

Salaries and expenses: For salaries and expenses in connection with the assessment and collection of internal-revenue taxes and the administration of the internal-revenue laws, including the administration of such provisions of other laws as are authorized by or pursuant to law to be administered by or under the direction of the Commissioner of Internal Revenue; including the Commissioner of Internal Revenue, Assistant General Counsel for the Bureau of Internal Revenue, an assistant to the Commissioner, a special deputy commissioner, four deputy commissioners, one stamp agent (to be reimbursed by the stamp manufacturers), and the necessary officers, collectors, deputy collectors, attorneys, experts, agents, accountants, inspectors, investigators, chemists, supervisors, storekeeper-gaugers, guards, clerks, janitors, and messengers in the District of Columbia, the several collection districts, the several divisions of internal-revenue agents and the several supervisory districts, to be appointed as provided by law; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; telegraph and telephone service, rent in the District of Columbia and elsewhere, postage, freight, express, necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and other necessary miscellaneous expenses, including stenographic reporting services; for the acquisition of property under the provisions of Title III of the Liquor Law Repeal and Enforcement Act, approved August 27, 1935 (49 Stat. 872–881), and the operation, maintenance, and repair of property acquired under such title III; for the exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, for official use of the Alcohol Tax Unit in field work; and the purchase of such supplies, equipment, furniture, mechanical devices, laboratory supplies, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia, the several collection districts, the several divisions of internal-revenue agents, and the several supervisory districts, $58,240,520, of which amount not to exceed $11,678,160 may be expended for personal services in the District of Columbia: *Provided*, That no part of this amount shall be used in defraying the expenses of any officer designated above, subpenaed by the United States court to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of jurors and witnesses, United States courts": *Provided further*, That not more than $100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or

Salaries and expenses.

Commissioner, Assistant General Counsel, and other personal services.

Securing evidence of violations.

Miscellaneous expenses.

Acquisition of property. 49 Stat. 879. 40 U. S. C., Supp. II, § 304h.

Vehicles.

Services in the District.

Provisos.
Expenses of officers attending trials, etc.

Post, p. 278.

Detection and prosecution of violations.

conniving at the same, including payments for information and detection of such violation.

Expenses under Silver Purchase Act of 1934, etc.
48 Stat. 1181.

For salaries and expenses in connection with carrying out the provisions of the Silver Purchase Act of 1934 and any Executive orders, proclamations, and regulations issued thereunder, including not to exceed $20,340 for personal services in the District of Columbia, supplies and materials, traveling expenses, printing and binding, rents, equipment, and miscellaneous expenses, $50,000.

Refunding taxes.

45 Stat. 398.

Refunding internal-revenue collections: For refunding internal-revenue collections, as provided by law, including the payment of claims for the fiscal year 1938 and prior years and accounts arising under "Allowance or draw-back (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", and "Repayment of taxes on distilled spirits destroyed by casualty", $30,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of $500 as required by section 3 of the Act of May 29, 1928 (U. S. C., title 26, sec. 1676), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

Proviso.
Detailed report to Congress of refunds.

45 Stat. 996.
26 U. S. C. § 1676.

Alaska railroads, additional income tax.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, and the amount of such additional tax to be applicable to general Territorial purposes, $10,900.

Federal Alcohol Administration.

FEDERAL ALCOHOL ADMINISTRATION

Salaries and expenses.

49 Stat. 977.
27 U. S. C., Supp. II, §§ 201–212.

Salaries and expenses: For the purpose of administering the provisions of the "Federal Alcohol Administration Act", approved August 29, 1935 (49 Stat. 977), as amended, including personal and other services; supplies and materials; equipment; communication service; stationery; travel and subsistence expenses as authorized by law; maintenance, repair, and operation of automobiles; law books, books of reference, magazines, periodicals, and newspapers; contract stenographic reporting service; the securing of evidence of violations of the Act; and miscellaneous and contingent expenses, $450,000.

Securing of evidence.

Narcotics Bureau.

BUREAU OF NARCOTICS

Salaries and expenses.
38 Stat. 785.
26 U. S. C. §§ 1383–1391, 1040–1064.
35 Stat. 614; 42 Stat. 596.
21 U. S. C. §§ 171–184.
44 Stat. 1381; 5 U. S. C. § 281c.
46 Stat. 585; 5 U. S. C. §§ 282–282c.
Post, p. 772.

Salaries and expenses: For expenses to enforce the Act of December 17, 1914 (U. S. C., title 26, secs. 1383–1391), as amended by the Revenue Act of 1918 (U. S. C., title 26, secs. 1040–1064), the Act approved February 9, 1909, as amended by the Act of May 26, 1922 (U. S. C., title 21, secs. 171–184), known as the Narcotic Drugs Import and Export Act, pursuant to the Act of March 3, 1927 (U. S. C., title 5, sec. 281c), and the Act of June 14, 1930 (U. S. C., title 5, secs. 282–282c), including the employment of executive officers, attorneys, agents, inspectors, chemists, supervisors, clerks, messengers, and other necessary employees in the field and in the Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of information and evidence of violations of the Acts; the costs of chemical analyses made by others than employees of the United States; the transportation of household and other personal effects incident to the change of headquarters of all employees engaged in field activities, not to exceed five thousand pounds in any one case, together with the necessary expenses incident to packing, crating, boxing, and draying same; the purchase of such

Transportation of personal effects.

supplies, equipment, mechanical devices, books, and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, storage, and disposition of property under the internal-revenue laws when the same is disposed of under section 3460, Revised Statutes (U. S. C., title 26, sec. 1193); purchase (not to exceed $10,000), exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary for official use in field work; purchase of arms and ammunition, and for rental of necessary quarters in the District of Columbia and elsewhere; in all, $1,267,600, of which amount not to exceed $183,121 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of the Treasury may authorize the use by narcotic agents of motor vehicles confiscated under the provisions of the Act of March 3, 1925 (U. S. C., title 27, sec. 43), as amended, and to pay the cost of acquisition, maintenance, repair, and operation thereof: *Provided further*, That not exceeding $10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith and not exceeding $1,500 for attendance at meetings concerned with the work of the Bureau of Narcotics: *Provided further*, That moneys expended from this appropriation for the purchase of narcotics and subsequently recovered shall be reimbursed to the appropriation for enforcement of the Narcotic Acts current at the time of the deposit.

Seizures, etc.

R. S. § 3460.
26 U. S. C. § 1624.

Rent.

Services in the District.
Provisos.
Use of confiscated vehicles.
43 Stat. 1116.
19 U. S. C. §§ 522-524.
Law observance.

Credit for sums expended.

COAST GUARD

Coast Guard.

Office personnel.

Office of the Commandant: For personal services in the District of Columbia, $389,240: *Provided*, That no part of any appropriation contained in this Act shall be used to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases the total number of enlisted men detailed on such duty at any time above ten.

Proviso.
Details at headquarters restricted.

Service expenditures.

For every expenditure requisite for and incident to the authorized work of the Coast Guard, including the expense of maintenance, repair, and operation of vessels forfeited to the United States and delivered to the Treasury Department under the terms of the Act approved March 3, 1925 (U. S. C., title 27, sec. 41), maintenance, repair, exchange, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes at headquarters and in the field, and the rental of quarters in the District of Columbia, as follows:

43 Stat. 1116.
19 U. S. C. §§ 522-524.

Pay and allowances.
Post, p. 772.

Pay and allowances: For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks, surfmen, substitute surfmen, and two civilian instructors, retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (U. S. C., title 14, sec. 178 a), and not exceeding $8,000 for cash prizes for men for excellence in boatmanship, gunnery, target practice, and engineering competitions; for carrying out the provisions of the Act of June 4, 1920 (U. S. C., title 34, sec. 943); not to exceed $5,000 for cost of special instruction, including maintenance of students; rations or commutation thereof for cadets, petty officers, and other enlisted men, mileage and expenses allowed by law for officers; and traveling expenses for other persons traveling on duty under orders from the Treasury Department, including transportation of enlisted men and applicants for enlistment, with subsistence and transfers en route, or cash in

Retired members of former Life Saving Service.
46 Stat. 164.
14 U. S. C. § 178a.
Cash prizes.

Death allowance.
41 Stat. 824.
34 U. S. C. § 943.

Traveling expenses.

Recruiting, etc.

lieu thereof; expenses of recruiting for the Coast Guard, rent of rendezvous, and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; transportation and packing allowances for baggage or household effects of commissioned officers, warrant officers, and enlisted men, $18,094,000; *Provided*, That no part of this appropriation shall be used for increased pay at a rate in excess of $1,440 per annum to any nonflying commissioned officer or commissioned officer observer for making aerial flights; which rate shall be the legal maximum rate of such increased pay as to any such officer;

Proviso. Pay restriction.

Fuel and water

Fuel and water: For fuel, lubricating oil, kerosene, and water, and for the furnishing of heat, light, and power (service), for vessels, stations, and houses of refuge, $1,475,000;

Outfits, stores, etc.

Outfits: For outfits, including repairs to portable equipment at shore units, ship chandlery, engineers' stores, and draft animals and their maintenance, $1,565,000;

Station improvements.

Rebuilding and repairing stations: For rebuilding and repairing stations and houses of refuge, temporary leases, rent, and improvements of property for Coast Guard purposes, including use of additional land where necessary, $292,500;

Communication lines.

Communication lines: For coastal communication lines and facilities and their maintenance, and communication service, $180,000;

Civilian field employees.

Civilian employees: For compensation of civilian employees in the field, including clerks to district commanders, $192,000;

Contingent expenses.

Contingent expenses: For contingent expenses, including subsistence of shipwrecked and destitute persons succored by the Coast Guard and of prisoners while in the custody of the Coast Guard; for the recreation, amusement, comfort, contentment, and health of the enlisted men of the Coast Guard, to be expended in the discretion of the Secretary of the Treasury, not exceeding $40,000; instruments and apparatus, supplies, technical books and periodicals, services necessary to the carrying on of scientific investigation, and not exceeding $4,000 for experimental and research work; care, transportation, and burial of deceased officers and enlisted men, including those who die in Government hospitals; wharfage, towage, freight, storage, advertising, surveys, medals, labor, newspapers, and periodicals for statistical purposes; entrance fees in matches for the rifle team, and special equipment therefor; and all other necessary expenses which are not included under any other heading, $122,600;

Rifle matches, entrance fees, etc.

Vessel, etc., repairs.

Repairs to vessels: For repairs to Coast Guard vessels and boats, exclusive of aircraft, $1,459,813;

Aircraft repairs.

For repairs to Coast Guard aircraft, $515,187;

Aviation shore stations, etc., restrictions.

No part of the appropriations contained in this Act under the Coast Guard, nor of any appropriation heretofore made, shall be used for the construction for the Coast Guard of any new permanent aviation shore station or for the permanent enlargement of the capacity of any existing aviation shore station, but this limitation shall not apply to expenditures for completion of construction for which funds were made available prior to February 5, 1936;

Replacement airplanes.

Replacement airplanes: For replacement airplanes and their equipment, including radio equipment, spare parts, and accessories, $363,500;

Proviso. Aviation expenses.

Total, Coast Guard, exclusive of Office of the Commandant, $24,259,600: *Provided*, That not more than a total of $1,821,900 out of the appropriations contained in this Act under the caption "Coast Guard" except the appropriations "Salaries, Office of the Commandant" and "Replacement airplanes", shall be expended for aviation.

BUREAU OF ENGRAVING AND PRINTING

Engraving and Printing Bureau.

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1938, of United States currency and internal-revenue stamps including opium orders and special-tax stamps required under the Act of December 17, 1914 (U. S. C., title 26, secs. 1040, 1383), checks, drafts, and miscellaneous work, as follows:

Work authorized for fiscal year 1938.
38 Stat. 786.
26 U. S. C. §§ 1040, 1383.

Salaries and expenses: For the Director, two Assistant Directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; for engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency, national-bank currency, and Federal Reserve bank currency; equipment of, repairs to, and maintenance of buildings and grounds and for minor alterations to buildings; directories, technical books and periodicals, and books of reference, not exceeding $300; rent of warehouse in the District of Columbia; traveling expenses not to exceed $2,000; uniforms for guards not to exceed $2,000; miscellaneous expenses, including not to exceed $1,500 for articles approved by the Secretary of the Treasury as being necessary for the protection of the person of employees; for transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Printing, not to exceed $15,000; and for the maintenance and driving of two motor-propelled passenger-carrying vehicles; $7,500,000, to be expended under the direction of the Secretary of the Treasury.

Salaries and expenses.

Materials, etc.

Reference books, etc.

Miscellaneous expenses.

Scientific investigations.

Vehicles.

During the fiscal year 1938 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriation for such Bureau for such fiscal year, instead of being covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (U. S. C., title 31, sec. 176), shall be credited when received to the appropriation for said Bureau for the fiscal year 1938.

Credit of proceeds from work.

24 Stat. 227.
31 U. S. C. § 176.

SECRET SERVICE DIVISION

Secret Service Division.

Salaries: For the Chief of the Division and other personal services in the District of Columbia, $53,160.

Salaries.

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting, forging, and altering United States notes, bonds, national-bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments, as well as the coins of the United States and of foreign governments, and other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; purchase (not to exceed $25,000), exchange, hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary; purchase of arms and ammunition; traveling expenses; and for no other purpose whatsoever, except in the performance of other duties specifically authorized by law, and in the protection of the person of the President and the members of his immediate family and of the person chosen

Suppressing counterfeiting, etc.

Protecting the President, etc.

Provisos. Witness fees.

to be President of the United States, $810,000: *Provided*, That no part of the amount herein appropriated shall be used in defraying the expenses of any person subpenaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses and jurors, United States courts": *Provided further*, That of the amount herein appropriated, not to exceed $10,000 may be expended in the discretion of the Secretary of the Treasury for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or information looking toward the apprehension of criminals.

Violation of laws relating to Treasury Department, etc.

White House Police.

White House Police: Captain, lieutenant, three sergeants, and for fifty-five privates, at rates of pay provided by law; in all, $146,900.

Uniforms and equipment.

For uniforming and equipping the White House Police, including the purchase, issue, and repair of revolvers and the purchase and issue of ammunition and miscellaneous supplies, to be procured in such manner as the President in his discretion may determine, $3,750.

PUBLIC HEALTH SERVICE

Public Health Service.

Office personnel.

Salaries, office of Surgeon General: For personal services in the District of Columbia, $316,000.

Surgeon General, officers, etc., pay, etc.

Commissioned officers, pay, and so forth: For pay, allowance, and commutation of quarters for regular commissioned medical officers, including the Surgeon General and assistant surgeons general and for other regular commissioned officers, $1,820,000.

Acting assistant surgeons.

Acting assistant surgeons, pay: For pay of acting assistant surgeons (noncommissioned medical officers), $340,200.

Part-time field employees, etc.

Pay on annual basis.

Hereafter field employees of the Public Health Service, except those employed on a per-diem or fee basis, who render part-time duty and are also subject to call at any time for other services, may be paid annual compensation for such part-time duty and, in addition, such fees for such other services as the Secretary of the Treasury may determine: *Provided*, That the total amount paid to any such employee for any fiscal year shall in no case exceed the amount of the minimum annual salary rate of the classification grade of the employee.

Proviso. Limitation.

Other employees.

Pay of other employees: For pay of all other employees (attendants, and so forth), $1,000,000.

Freight, transportation, etc.

46 Stat. 818. 5 U. S. C. § 118a.

Freight, transportation, and so forth: For freight, transportation, and traveling expenses, including allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed $5,000 but not to exceed $1,700 for any one person; the expenses, except membership fees, of officers when officially detailed to attend meetings for the promotion of public health; contract stenographic reporting services; not to exceed $450 for journals and scientific books, office of the Surgeon General; and the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, and nurses of the Public Health Service, upon permanent change of station, $25,450: *Provided*, That funds expendable for transportation and traveling expenses may also be used for preparation for shipment and transportation to their former homes of remains of officers who die in line of duty.

Proviso. Transporting remains of officers.

National Institute of Health, maintenance.

National Institute of Health, maintenance: For maintaining the National Institute of Health, $64,000.

Hospital maintenance, medical examinations, etc.

39 Stat. 885. 8 U. S. C. § 152.

Pay of personnel and maintenance of hospitals: For medical examinations, including the amount necessary for the medical inspection of aliens, as required by section 16 of the Act of February 5,

1917 (U. S. C., title 8, sec. 152), medical, surgical, and hospital services and supplies, including prosthetic and orthopedic supplies to be furnished under regulations approved by the Secretary of the Treasury, for beneficiaries (other than patients of the Veterans' Administration) of the Public Health Service and persons detained in hospitals of the Public Health Service under the immigration laws and regulations, including necessary personnel and reserve commissioned officers of the Public Health Service, personal services in the District of Columbia and elsewhere, including the furnishing and laundering of white duck coats, trousers, smocks, aprons, and caps to employees whose duties make necessary the wearing of same, maintenance, minor repairs, equipment, leases, fuel, lights, water, freight, transportation and travel, the maintenance, exchange, and operation of motor trucks and passenger motor vehicles for official use in field work (including not to exceed $3,000 for the purchase of motor-propelled passenger-carrying vehicles) and one for use in connection with the administrative work of the Public Health Service in the District of Columbia, purchase of ambulances, transportation, care, maintenance, and treatment of lepers, including transportation to their homes in the continental United States of recovered indigent leper patients, court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, and reasonable burial expenses (not exceeding $100 for any patient dying in hospital), $6,150,000: *Provided*, That the Immigration Service shall permit the Public Health Service to use the hospitals at Ellis Island Immigration Station for the care of Public Health Service patients free of expense for physical upkeep, but with a charge of actual cost of fuel, light, water, telephone, and similar supplies and services, to be covered into the proper Immigration Service appropriations; and money collected by the Immigration Service on account of hospital expenses of persons detained in hospitals of the Public Health Service under the immigration laws and regulations shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That no part of this sum shall be used for the quarantine service, the prevention of epidemics, or scientific work of the character provided for under the appropriations which follow.

Services in the District.
General expenses.

Vehicles.

Lepers, insane, etc.

Provisos.
Use of Ellis Island hospitals.

Receipts to be covered into Treasury.

Uses forbidden.

Quarantine service: For maintenance and ordinary expenses, exclusive of pay of officers and employees, of United States quarantine stations, including the exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in field work and not to exceed $9,500 for the purchase of motor-propelled passenger-carrying vehicles, $331,250.

Quarantine service.

Prevention of epidemics: To enable the President, in case only of threatened or actual epidemic of infectious or contagious disease, to aid State and local boards or otherwise in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, $280,000, including the purchase of newspapers and clippings from newspapers containing information relating to the prevalence of disease and the public health.

Prevention of epidemics.

Interstate quarantine service: For cooperation with State and municipal health authorities in the prevention of the spread of contagious and infectious diseases in interstate traffic, including the maintenance, repair, and operation of passenger-carrying automobiles, $36,500.

Interstate quarantine service, expenses.

Biologic products: To regulate the propagation and sale of viruses, serums, toxins, and analogous products, including arsphenamine,

Biologic products.
Regulating sale of viruses, etc.

and for the preparation of curative and diagnostic biologic products, including personal services of Reserve commissioned officers and other personnel, $55,000.

Venereal Diseases Division. Maintenance, etc. 40 Stat. 886. 42 U. S. C. §§ 24, 25.

Division of Venereal Diseases: For the maintenance and expenses of the Division of Venereal Diseases, established by sections 3 and 4, chapter XV, of the Act approved July 9, 1918 (U. S. C., title 42, secs. 24, 25), including personal and other services in the field and in the District of Columbia, $80,000, of which amount not to exceed $19,500 may be expended for personal services in the District of Columbia.

Mental Hygiene Division. 46 Stat. 587. 21 U. S. C. §§ 196, 225. Lexington, Ky., hospital. 45 Stat. 1085. 21 U.S.C. §§ 221-237.

Division of Mental Hygiene: For carrying out the provisions of section 4 of the Act of June 14, 1930 (U. S. C., title 21, secs. 196 and 225); for maintenance and operation of the United States Public Health Service Hospital, Lexington, Kentucky, in accordance with the provisions of the Act of January 19, 1929 (U. S. C., title 21, secs. 221–237), including personal services in the District of Columbia (not to exceed $27,920) and elsewhere; traveling expenses; necessary supplies and equipment; subsistence and care of inmates; expenses incurred in pursuing and identifying escaped inmates and of interment or transporting remains of deceased inmates; purchase and exchange of farm products and livestock; law books, books of reference, newspapers, and periodicals; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; transportation when necessary, within continental United States and under regulations approved by the Secretary of the Treasury, of persons voluntarily admitted and discharged as cured; tobacco for inmates; and maintenance, operation, and repair of motor-propelled passenger-carrying vehicles; $647,580.

Educational exhibits.

Educational exhibits: For the preparation of public-health exhibits designed to demonstrate the cause, prevalence, methods of spread, and measures for preventing diseases dangerous to the public health, including personal services and the cost of acquiring, transporting, and displaying exhibit material, $1,000.

Grants to States for public-health work.

Grants to States for public-health work: For the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public-health services, including the training of personnel for State and local health work, as authorized in sections 601 and 602, title VI, of the Social Security Act, approved August 14, 1935 (49 Stat., 634), $8,000,000.

49 Stat. 634. 42 U. S. C., Supp. II, §§ 801, 802.

Diseases and sanitation investigations.

Diseases and sanitation investigations: For carrying out the provisions of section 603 of the Social Security Act, approved August 14, 1935, and section 1 of the Act of August 14, 1912, including rent and personnel and other services in the District of Columbia and elsewhere and items otherwise properly chargeable to the appropriations for printing and binding, stationery, and miscellaneous and contingent expenses for the Treasury Department, the provisions of section 6, Act of August 23, 1912 (U. S. C., title 31, sec. 669), to the contrary notwithstanding, the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, and nurses of the Public Health Service upon permanent change of station, and including the purchase (not to exceed $2,500), exchange, maintenance, repair, and operation of passenger-carrying automobiles for official use in field work, $1,600,000, of which not to exceed $50,000 shall be available for investigations to determine the possibly harmful effects on human beings of spray insecticides on fruits and vegetables.

Contingent expenses. 37 Stat. 414. 31 U. S. C. § 669.

Automobiles.

BUREAU OF THE MINT

Bureau of the Mint.

OFFICE OF DIRECTOR OF THE MINT

Salaries: For the Director of the Mint and other personal services in the District of Columbia, $38,360.

Salaries.

Transportation of bullion and coin: For transportation of bullion and coin, by registered mail or otherwise, between mints and assay offices, $35,000.

Transportation of bullion and coin.

Contingent expenses and examination of mints: For assay laboratory chemicals, fuel, materials, balances, weights, and other necessaries, including books, periodicals, specimens of coins, ores, and incidentals, and for examination of mints, expense in visiting mints for the purpose of superintending the annual settlements, and for special examinations and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, $5,200.

Contingent expenses, etc.

Salaries and expenses, mints and assay offices: For compensation of officers and employees of the mints at Philadelphia, Pennsylvania, San Francisco, California, Denver, Colorado, and New Orleans, Louisiana, the assay offices at New York, New York, and Seattle, Washington, and the bullion depository at Fort Knox, Kentucky, and for incidental and contingent expenses, including traveling expenses, new machinery, and repairs, arms and ammunition, uniforms and accessories for guards, protective devices and their maintenance, training of employees in use of firearms and protective devices, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed $500 for the expenses of the annual assay commission, and not exceeding $1,000 in value of specimen coins and ores for the cabinet of the mint at Philadelphia, $1,275,000.

Mints and assay offices.
Salaries and expenses.
Ante, p. 136.

Protective devices.

Expenses, Silver Purchase and Gold Reserve Acts: For salaries and expenses in the Bureau of the Mint and the mints and assay offices in connection with carrying out the provisions of the Gold Reserve Act of 1934 and the Silver Purchase Act of 1934, and any Executive orders, proclamations, and regulations issued thereunder, including not to exceed $70,000 for personal services in the District of Columbia, supplies and materials, travel, printing, rent, equipment, and miscellaneous expenses, $1,120,000.

Expenses, Silver Purchase and Gold Reserve Acts.
48 Stat. 337, 1178.

PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

Procurement Division, Public Buildings Branch.

For carrying into effect the provisions of the Public Buildings Acts, as provided in section 6 of the Act of May 30, 1908 (U. S. C., title 31, sec. 683), and for the repair, preservation, and upkeep of all completed public buildings, the mechanical equipment and the grounds thereof, and sites acquired for buildings, maintained by the Treasury Department, and for the operation of certain completed and occupied Treasury buildings, including furniture and repairs thereof, but exclusive, with respect to operation, of hospitals, quarantine stations, and other Public Health Service buildings, mints, bullion depositories, and assay offices, the Treasury, Treasury Annex, Liberty Loan, and Auditors' Buildings:

Repair, preservation, and upkeep of completed buildings, etc.
35 Stat. 537.
31 U. S. C. § 683.

General administrative expenses: For architectural, engineering, mechanical, administrative, clerical, and other personal services, traveling expenses, including expenses of employees directed by the Secretary of the Treasury to attend meetings of technical and professional societies and educational exhibits in connection with

General administrative expenses.

subjects related to the work of the Division of Procurement, Public Buildings Branch, and transportation of household goods, incident to change of headquarters of all employees engaged in field activities, not to exceed five thousand pounds at any one time, together with the necessary expenses incident to packing and draying same; advertising, not exceeding $1,000 for expenses of educational exhibits, specifically approved by the Secretary of the Treasury, testing instruments, law books, books of reference, technical periodicals and journals, drafting materials, especially prepared paper, typewriting machines, adding machines, and other mechanical labor-saving devices, and exchange of same, carpets, electric-light fixtures, furniture, equipment, and repairs thereto, telegraph and telephone service, freight, expressage, and postage incident to the transportation of drawings to and from the office and such other contingencies, articles, services, or supplies as the Secretary of the Treasury may deem necessary and specially order or approve in connection with any of the work of the Procurement Division, Public Buildings Branch; rent in the District of Columbia and elsewhere, including ground rent of the Federal building at Salamanca, New York, for which payment may be made in advance, and including such expenses necessary to wind up the affairs of the United States Housing Corporation and effect its dissolution; $914,220, of which amount not to exceed $502,360 may be expended for personal services in the District of Columbia and not to exceed $275,860 for personal services in the field: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate: *Provided further*, That no expenditures shall be made hereunder for transportation of operating supplies for public buildings: *And provided further*, That in no case shall the rates of compensation for the mechanical labor force in the field under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

Salamanca, N. Y., ground rent.

Provisos.
Cost of surveys, models, etc.

Not available for transporting operating supplies.

Pay rates, mechanical labor force.

Repair, preservation, and equipment, public buildings.

Repair, preservation, and equipment, public buildings: For repairs, alterations, improvement, and preservation of completed Federal buildings (including Marcus Hook), the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding, not otherwise provided for, of sites acquired for Federal buildings, including tools and materials for the use of the custodial and mechanical force, wire partitions and insect screens, installation and repair of mechanical equipment, gas, and electric-light fixtures, conduits, wiring, platform scales, and tower clocks; vaults and lockbox equipment in all buildings under construction or completed, and for necessary safe equipments in buildings under the administration of the Treasury Department, including repairs thereto, and changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533), $2,750,000: *Provided*, That the appropriation herein made shall not be available for the payment of personal services, except for work done under contract, or for temporary job labor under exigency in an amount not to exceed $100 at one time at any one building: *Provided further*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on

Pneumatic tube system, New York City.

36 Stat. 120; 45 Stat. 533.

Provisos.
Personal services, restriction.

Limitation on repair, etc.

sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

Operating force for public buildings: For personal services, including also telephone operators for the operation of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, $1,573,500: *Provided*, That in no case shall the rates of compensation for the mechanical labor force under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

Operating force.
Personal services.

Proviso.
Wage rates.

Furniture and repairs of furniture, public buildings: For furniture, carpets, and repairs of same, for certain completed and occupied Treasury buildings, and for public buildings in course of construction which are to be operated by the Public Buildings Branch, $50,000: *Provided*, That the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of $100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not.

Furniture, etc.

Provisos.
Personal services, restriction.

Use of present furniture.

Operating supplies, public buildings: For fuel, steam, gas for lighting and heating purposes, water, ice, lighting supplies, electric current for lighting, heating, and power purposes, telephone service for custodial forces; removal of ashes and rubbish, snow, and ice; cutting grass and weeds, washing towels, and miscellaneous items for use of the custodial forces in the care and maintenance of such public buildings, the grounds thereof, and the equipment and furnishings therein; temporary job labor under exigency not exceeding at one time the sum of $100 at any one building; miscellaneous supplies, tools, and appliances required in the operation (not embracing repairs) of the mechanical equipment, including heating, plumbing, hoisting, gas piping, ventilating, vacuum-cleaning, air-conditioning and refrigerating apparatus, electric-light plants, meters, interior pneumatic tube and intercommunicating telephone systems, conduit wiring, call bell and signal systems in such buildings, and for the transportation of articles or supplies, authorized herein; $460,000: *Provided*, That this appropriation shall be available for contracts for telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities in buildings under the Treasury Department where it is found that joint service is economical and in the interest of the Government, and this appropriation shall be reimbursed for the cost of such joint service from available appropriations of the offices receiving the service.

Operating supplies.
Fuel, light, power, etc.

Maintenance, etc.

Miscellaneous.

Proviso.
Contracts for joint telephone switchboards.

Payment of claims for relief of contractors, Act of June 16, 1934: To enable the Secretary of the Treasury to make payment of claims settled and certified by the Comptroller General of the United States under the provisions of the Act entitled "An Act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the Act approved June 16, 1933, and for other purposes", approved June 16, 1934 (U. S. C., title 41, sec. 28), the unexpended balance of the appropriation available for this purpose for the fiscal year 1937 is continued available until June 30, 1938.

Relief of Government contractors.
Losses due to compliance with codes.

48 Stat. 974.
41 U. S. C. § 28.

49 Stat. 1843.

Supply Branch

PROCUREMENT DIVISION—BRANCH OF SUPPLY

Salaries and expenses.

Salaries and expenses: For the Director of Procurement and other personal services in the District of Columbia and in the field service, and for miscellaneous expenses, including office supplies and materials, purchase and exchange of motor trucks and maintenance thereof, telegrams, telephone service, traveling expenses, office equipment, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Procurement Division of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia and in the field (including not to exceed $500 to settle claims for damages caused to private property by motor vehicles used by the Procurement Division), $500,000: *Provided*, That the Secretary of the Treasury is authorized and directed during the fiscal year 1938 to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government such amounts as may be approved by the Director of the Bureau of the Budget, not to exceed the amount of the annual compensation of employees heretofore or hereafter transferred or detailed to the Procurement Division, Branch of Supply, respectively, from any such department or establishment, where the transfer or detail of such employees was or will be incident to a transfer of a function or functions to that Division: *Provided further*, That payments during the fiscal year 1938 to the general supply fund for materials, supplies (including fuel), and services, and overhead expenses, for all issues shall be made on the books of the Treasury Department by transfer and counter-warrants prepared by the Procurement Division of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Procurement Division at issue prices to be fixed by the Director of Procurement: *Provided further*, That advances received pursuant to law (U. S. C., title 31, sec. 686) from departments and establishments of the United States Government and the government of the District of Columbia during the fiscal year 1938 shall be credited to the general supply fund: *Provided further*, That not to exceed $700,000 shall be available from the general supply fund during the fiscal year 1938 for personal services: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *Provided further*, That the requirements of sections 3711 and 3713 of the Revised Statutes (U. S. C., title 40, sec. 109) relative to the weighing of coal and wood and the separate certificate as to the weight, measurement, or quantity of coal and wood purchased shall not apply to purchases by the Procurement Division at free-on-board destination outside of the District of Columbia: *Provided further*, That the reconditioning and repair of surplus property and equipment, for disposition or reissue to Government service, may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Branch of Supply, Procurement Division."

Provisos.
Transfer of available funds to Branch of Supply.

Payments for materials, etc., issued.

Advances credited to general supply fund.
47 Stat. 417.
31 U. S. C. § 686.

Personal services.

"Fuel" construed.
Inspection certificate waived.
R. S. §§ 3711, 3713.
40 U. S. C. § 109.

Cost of reconditioning equipment.

Typewriter repairs, etc.

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Procurement Division, Branch of Supply."

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1938 for the purchase of any standard typewriting machines, except bookkeeping and billing machines, at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), $70; twelve inches, $75; fourteen inches, $77.50; sixteen inches, $82.50; eighteen inches, $87.50; twenty inches, $94; twenty-two inches, $95; twenty-four inches, $97.50; twenty-six inches, $103.50; twenty-eight inches, $104; thirty inches, $105; thirty-two inches, $107.50; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, $80; twelve inches, $85; fourteen inches, $90; eighteen inches, $95: *Provided*, That standard typewriting machines distinctively quiet in operation purchased during such fiscal year by any such department, establishment, or municipal government shall only be purchased on the written order of the head thereof.

Prices of standard typewriting machines; exceptions.

Proviso. Quiet machines.

With the approval of the Director of the Bureau of the Budget, there may be transferred sums (not exceeding a total of $250,000) to the appropriations, "Salaries, Office of Treasurer of United States, 1938", "Contingent expenses, Treasury Department, 1938", "Printing and binding, Treasury Department, 1938", and "Stationery, Treasury Department, 1938", from funds available for the Agricultural Adjustment Administration, Home Owners' Loan Corporation, Farm Credit Administration, Tennessee Valley Authority, Federal Farm Mortgage Corporation, Reconstruction Finance Corporation, Federal land banks and other banks and corporations under the supervision of the Farm Credit Administration, Railroad Retirement Board, Soil Conservation Service, including Soil Conservation and Domestic Allotment, Social Security Board, and Federal Housing Administration, to cover the expenses incurred on account of such respective activities in clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor.

Check clearance, etc., expenses.

MISCELLANEOUS ITEMS, TREASURY DEPARTMENT

Miscellaneous items.

AMERICAN PRINTING HOUSE FOR THE BLIND

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the Act approved February 8, 1927 (U. S. C., title 20, sec. 101), $65,000.

American Printing House for the Blind, expenses.
44 Stat. 1060.
20 U. S. C. § 101.

This title may be cited as the Treasury Department Appropriation Act, 1938.

Citation of title.

TITLE II—POST OFFICE DEPARTMENT

Title II—Post Office Department.

The following sums are appropriated in conformity with the Act of July 2, 1836 (U. S. C., title 5, sec. 380, title 39, sec. 786), for the Post Office Department for the fiscal year ending June 30, 1938, namely:

Appropriation for fiscal year 1938.
5 Stat. 80.
5 U. S. C. § 380; 39 U. S. C. § 786.

POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

Department expenses.

OFFICE OF THE POSTMASTER GENERAL

Postmaster General's office.

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, $228,344.

Postmaster General, and office personnel.

Salaries, bureaus and offices.

SALARIES IN BUREAUS AND OFFICES

Amounts.

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

Office of the First Assistant Postmaster General, $375,270.
Office of the Second Assistant Postmaster General, $574,020.
Office of the Third Assistant Postmaster General, $772,935.
Office of the Fourth Assistant Postmaster General, $461,640.
Office of the Solicitor for the Post Office Department, $83,900.
Office of the chief inspector, $216,000.
Office of the purchasing agent, $42,000.
Bureau of Accounts, $104,930.

Department contingent expenses.

CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

Stationery, etc.

For contingent and miscellaneous expenses; stationery and blank books, index and guide cards, folders and binding devices, including purchase of free penalty envelops; telegraph and telephone service, furniture and filing cabinets and repairs thereto; purchase, exchange, maintenance, and repair of tools, electrical supplies, typewriters, adding machines, and other labor-saving devices; purchase of one motor-propelled passenger-carrying vehicle at not to exceed $2,500, including the exchange value of one such vehicle, and for maintenance of motor trucks and of two motor-driven passenger-carrying vehicles, to be used only for official purposes (one for the Postmaster General and one for the general use of the Department); street-car fares; floor coverings; postage stamps for correspondence addressed abroad, which is not exempt under article 49 of the Cairo convention of the Universal Postal Union; purchase and exchange of law books, books of reference, railway guides, city directories, and books necessary to conduct the business of the Department; newspapers, not exceeding $200; expenses, except membership fees, of attendance at meetings or conventions concerned with postal affairs, when incurred on the written authority of the Postmaster General, not exceeding $2,000; expenses of the purchasing agent and of the Solicitor and attorneys connected with his office while traveling on business of the Department, not exceeding $800; and other expenses not otherwise provided for; $84,500.

Vehicles.

Correspondence addressed abroad.
49 Stat. 2768.

Attendance at meetings, etc.

Printing and binding.

For printing and binding for the Post Office Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $1,200,000.

Field service appropriations not to be used for Department.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia:

Provisos.
Travel expenses, payable from service appropriations.

Provided, That the actual and necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may continue to be paid from the appropriations for the service in connection with which the travel is performed, and appropriations for the fiscal year 1938 of the character heretofore used for such purposes shall be available therefor: *Provided further*, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be immediately available for expenses in connection with the examination of estimates for appropriations in the field including per-diem allowances in lieu of actual expenses of subsistence.

Use in examining field estimates.

FIELD SERVICE, POST OFFICE DEPARTMENT

Field Service.

OFFICE OF THE POSTMASTER GENERAL

Postmaster General.

Rewards to postal employees for inventions: The Postmaster General is hereby authorized to pay a cash reward for any invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department or the Postal Service which shall be adopted for use and will clearly effect a material economy or increase efficiency, and for that purpose the sum of $200 is hereby appropriated: *Provided*, That the sums so paid to employees in accordance with this Act shall be in addition to their usual compensation: *Provided further*, That no employee shall be paid a reward under this appropriation until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns.

Rewards to employees for inventions improving service.

Provisos.
Additional to regular pay.
Agreement for Government use required.

Travel expenses, Postmaster General and Assistant Postmasters General: For travel and miscellaneous expenses in the Postal Service, offices of the Postmaster General and Assistant Postmasters General, $3,000.

Travel, etc., expenses.

Personal or property damage claims: To enable the Postmaster General to pay claims for damages, occurring during the fiscal year 1938, or in prior fiscal years, to persons or property in accordance with the provisions of the Deficiency Appropriation Act approved June 16, 1921 (U. S. C., title 5, sec. 392), as amended by the Act approved June 22, 1934 (48 Stat. 1207), $30,000.

Damage claims.

42 Stat. 63; 48 Stat. 1207.
5 U. S. C. § 392.

Adjusted losses and contingencies, postal funds: To enable the Postmaster General to pay to postmasters, Navy mail clerks, and assistant Navy mail clerks or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1938, or prior fiscal years, through burglary, fire, or other unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended, $60,000.

Adjusted losses and contingencies.

22 Stat. 29.
39 U. S. C. § 49.

OFFICE OF CHIEF INSPECTOR

Chief Inspector's office.

Salaries of inspectors: For salaries of fifteen inspectors in charge of divisions and five hundred and eighty-five inspectors, $2,245,500.

Inspectors, salaries.

Traveling and miscellaneous expenses: For traveling expenses of inspectors, inspectors in charge, the chief post-office inspector, and the assistant chief post-office inspector, and for the traveling expenses of four clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases; for tests, exhibits, documents, photographs, office and other necessary expenses incurred by post-office inspectors in connection with their official investigations, including necessary miscellaneous expenses of division headquarters, and not to exceed $500 for technical and scientific books and other books of reference needed in the operation of the Post Office Inspection Service, $617,125: *Provided*, That not exceeding $20,000 of this sum shall be available for transfer by the Postmaster General to other departments and independent establishments for chemical and other investigations.

Traveling and miscellaneous expenses.

Investigations, etc.

Proviso.
Chemical, etc., investigations.

Clerks, division headquarters: For compensation of one hundred and ninety-four clerks at division headquarters of post-office inspectors, $475,850.

Clerks, division headquarters.

Payment of rewards: For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, highway mail

Rewards for detecting law violations.

robbers, and persons mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite or explode, $55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the classes mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 9273, dated July 25, 1936: *Provided further*, That of the amount herein appropriated not to exceed $20,000 may be expended, in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

Provisos.
Death of offender.

Rate regulation.

Securing information

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

First Assistant Postmaster General.

Compensation to postmasters.

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and properly perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, $50,000,000.

Assistant postmasters.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, $6,925,000.

Clerks, etc., first- and second-class offices.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, laborers, and substitutes, $195,000,000.

Contract stations, clerks.

Clerks, contract stations: For compensation to clerks in charge of contract stations, $1,500,000.

Separating mails.

Separating mails: For separating mails at third- and fourth-class post offices, $450,000.

Unusual conditions.

Unusual conditions: For unusual conditions at post offices, $75,000.

Clerks, third-class offices.

Clerks, third-class post offices: For allowances to third-class post offices to cover the cost of clerical services, $7,250,000.

Miscellaneous, first- and second-class offices.

Miscellaneous items, first- and second-class post offices: For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, $2,100,000.

Village delivery service.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, $1,735,000.

Detroit River service.

Detroit River service: For Detroit River postal service, $11,460.

Car fare and bicycle allowance.

Car fare and bicycle allowance: For car fare and bicycle allowance, including special-delivery car fare, $1,300,000.

City delivery carriers.

City delivery carriers: For pay of letter carriers, City Delivery Service, $138,000,000.

Special-delivery fees.

Special-delivery fees: For fees to special-delivery messengers, $8,000,000.

Second Assistant Postmaster General.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star routes, except in Alaska.

Star-route service: For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, and not to exceed $100,000 for Government-operated star-route service, $11,000,000.

Alaska.

Star-route service, Alaska: For inland transportation by star routes in Alaska, $207,245.

Power-boat service: For inland transportation by steamboat or other power-boat routes, including ship, steamboat, and way letters, $1,200,000. Power-boat service.

Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, $107,900,000: *Provided*, That separate accounts be kept of the amount expended for mail messenger service: *Provided further*, That there may be expended from this appropriation for clerical and other assistance in the District of Columbia not exceeding the sum of $60,922 to carry out the provisions of section 5 of the Act of July 28, 1916 (U. S. C., title 39, sec. 562) (the space basis Act), and not exceeding the sum of $33,050 to carry out the provisions of section 214 of the Act of February 28, 1925 (U. S. C., title 39, sec. 826) (cost ascertainment). Railroad transportation and mail messenger service. *Provisos.* Separate accounting, messenger service. Services in the District. 39 Stat. 429; 43 Stat. 1069. 39 U. S. C. §§ 562, 826.

Railway Mail Service: For fifteen division superintendents, fifteen assistant division superintendents, two assistant superintendents at large, one assistant superintendent in charge of car construction, one hundred and twenty-one chief clerks, one hundred and twenty-one assistant chief clerks, clerks in charge of sections in the offices of division superintendents, railway postal clerks, substitute railway postal clerks, joint employees, and laborers in the Railway Mail Service, $56,950,000. Railway Mail Service. Division superintendents, etc.

Railway postal clerks, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, $3,450,000. Railway postal clerks, travel allowance.

Railway Mail Service, traveling expenses: For actual and necessary expenses, general superintendent and assistant general superintendent, division superintendents, assistant division superintendents, assistant superintendents, chief clerks, and assistant chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, $60,000. Railway Mail Service, traveling expenses.

Railway Mail Service, miscellaneous expenses: For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, telephone service, badges for railway postal clerks, for the purchase or rental of arms and miscellaneous items necessary for the protection of the mails and rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution cannot, under the Postal Laws and Regulations, properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary to terminal railway post offices, $450,000. Miscellaneous expenses. Arms, etc., for mail protection. Terminal offices, rent.

Electric- and cable-car service: For electric- and cable-car service, $350,000. Electric- and cable-car service.

Foreign mail transportation: For transportation of foreign mails by steamship, aircraft, or otherwise, $14,241,360: *Provided*, That not to exceed $9,417,360 of this sum may be expended for carrying foreign mail by aircraft under contracts which will not create obligations for the fiscal year 1939 in excess of $10,408,000: *Provided further*, That the Postmaster General is authorized to expend such sums as may be necessary, not to exceed $170,000, to cover the cost to the United States for maintaining sea post service on ocean steamships conveying the mails to and from the United States including the salary of the Assistant Director, Division of International Postal Service, with headquarters at New York City. Foreign mails. *Post*, p. 227. *Provisos.* Aircraft allowance; restriction. Sea post service. Assistant Director, International Postal Service.

Balances due foreign countries: For balances due foreign countries, fiscal year 1938 and prior years, $1,000,000. Balances due foreign countries.

Contract Air Mail Service: For the inland transportation of mail by aircraft, and for personal services for examining and auditing the books, records, and accounts of air mail contractors, as author- Contract Air Mail Service.

ized by law, and for the incidental expenses thereof, including not to exceed $22,200 for supervisory officials and clerks at air-mail transfer points, and not to exceed $46,460 for personal services in the District of Columbia and incidental and travel expenses, $14,500,000, of which not less than $1,400,000 shall be available for extensions, new routes, and increased frequency of schedules.

Service improvements.

Indemnities, international mail.

Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, $15,000.

Rural Delivery Service.

Rural Delivery Service: For pay of rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, $92,500,000, of which not less than $250,000 shall be available for extensions and new service.

Third Assistant Postmaster General.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Stamps, stamped paper, postal cards, etc.

Manufacture and distribution of stamps and stamped paper: For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, stamped envelopes, newspaper wrappers, postal cards, and for coiling of stamps, and including not to exceed $22,300 for pay of agent and assistants to examine and distribute stamped envelopes and newspaper wrappers, and for expenses of agency, $4,450,000.

Indemnities, lost, etc., domestic mail.

Indemnities, domestic mail: For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, $625,000.

Unpaid money orders more than one year old.

Unpaid money orders more than one year old: For payment of domestic money orders after one year from the last day of the month of issue of such orders, $225,000.

Fourth Assistant Postmaster General.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Stationery, etc.

Post office stationery, equipment, and supplies: For stationery for the Postal Service, including the money-order and registry system; and also for the purchase of supplies for the Postal Savings System, including rubber stamps, canceling devices, certificates, envelopes, and stamps for use in evidencing deposits, and free penalty envelopes; and for the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the Act of June 25, 1910 (U. S. C., title 39, sec. 760); for miscellaneous equipment and supplies, including the purchase and repair of furniture, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; for postmarking, rating, money-order stamps, and electrotype plates and repairs to same; metal, rubber, and combination type, dates and figures, type holders, ink pads for canceling and stamping purposes, and for the purchase, exchange, and repair of typewriting machines, envelope-opening machines, and computing machines, numbering machines, time recorders, letter balances, scales (exclusive of dormant or built-in platform scales in Federal buildings), test weights, and miscellaneous articles purchased and furnished directly to the Postal Service, including complete equipment and furniture for post offices in leased and rented quarters; for the pur-

Postal Savings System, supplies.

Bond expenses. 36 Stat. 817. 39 U. S. C. § 760.

Miscellaneous equipment.

Letter boxes.

Postmarking, etc., stamps.

Furniture, etc., rented quarters.

chase of arms and miscellaneous items necessary for the protection of the mails; for miscellaneous expenses in the preparation and publication of post-route maps and rural delivery maps or blueprints, including tracing for photolithographic reproduction; for other expenditures necessary and incidental to post offices of the first, second, and third classes, and offices of the fourth class having or to have rural delivery service, and for letter boxes; for the purchase of atlases and geographical and technical works not to exceed $1,500; for wrapping twine and tying devices; for expenses incident to the shipment of supplies, including hardware, boxing, packing, and not exceeding $55,000 for the pay of employees in connection therewith in the District of Columbia; for rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, accident prevention, and other labor-saving devices, including cost of power in rented buildings and miscellaneous expenses of installation and operation of same, including not to exceed $35,000 for salaries of thirteen traveling mechanicians, and for traveling expenses, $2,521,000: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural delivery maps or blueprints at the cost of printing and 10 per centum thereof added: *Provided further*, That no part of this appropriation shall be expended for the purchase of furniture and complete equipment for third-class post offices except miscellaneous equipment of the general character furnished such offices during the fiscal year 1931.

Post-route maps, etc.

Twine and tying devices.

Traveling mechanicians.

Provisos.
Sale of maps, etc.

Furniture, etc, third-class offices.

Equipment shops, material, etc.

Equipment shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; material, machinery, and tools necessary for the manufacture and repair of such other equipment for the Postal Service as may be deemed expedient; accident prevention; for the expenses of maintenance and repair of the mail bag equipment shops building and equipment, including fuel, light, power, and miscellaneous supplies and services; for compensation to labor employed in the equipment shops and in the operation, care, maintenance, and protection of the equipment shops building, $1,450,000, of which not to exceed $627,000 may be expended for personal services in the District of Columbia: *Provided*, That out of this appropriation the Postmaster General is authorized to use as much of the sum, not exceeding $15,000, as may be deemed necessary for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for service in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

Services in the District.

Proviso.
Distinctive equipments for departments, Alaska, and island possessions.

Rent, light, and fuel: For rent, light, fuel, and water, for first-, second-, and third-class post offices, and the cost of advertising for lease proposals for such offices, $11,350,000.

Rent, light, and fuel.

Pneumatic-tube service: For the transmission of mail by pneumatic tubes or other similar devices in the city of New York, including the Borough of Brooklyn of the city of New York, at an annual rate not in excess of $19,500 per mile of double line of tubes, including power, labor, and all other operating expenses, $568,534.

Pneumatic-tube service, New York, etc.

For the rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts, $24,000: *Provided*, That the provisions not inconsistent herewith of the Acts of April 21, 1902 (U. S. C., title 39, sec. 423), and May 27, 1908 (U. S. C., title 39, sec. 423), relating to the transmission of mail by pneumatic tubes or other similar devices shall be applicable hereto.

Boston, Mass.

Proviso.
Provisions applicable.
32 Stat. 114, 35 Stat. 412.
39 U. S. C. § 423.

Vehicle service.

Vehicle service: For vehicle service; the hire of vehicles; the rental of garage facilities; the purchase, exchange, maintenance, and repair of motor vehicles; accident prevention; the hire of supervisors, clerical assistance, mechanics, drivers, garage men, and such other employees as may be necessary in providing vehicles and vehicle service for use in the collection, transportation, delivery, and supervision of the mail, $15,250,000: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned motor vehicles at a reasonable annual rental for a term not exceeding ten years: *Provided further*, That the Postmaster General, during the fiscal year 1938, may purchase and maintain from the appropriation "Vehicle service" such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

Provisos.
Housing of Government-owned vehicles.

Tractors and trailer trucks.

Motor vehicle restriction.

Transportation of equipment and supplies.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, $320,000.

Public buildings.

PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating force.

Operating force: For personal services in connection with the operation of public buildings, including the Washington Post Office and the Customhouse Building in the District of Columbia, operated by the Post Office Department, together with the grounds thereof and the equipment and furnishings therein, including telephone operators for the operation of telephone switchboards or equivalent telephone switchboard equipment in such buildings jointly serving in each case two or more governmental activities, $17,975,740: *Provided*, That in no case shall the rates of compensation for the mechanical labor force be in excess of the rates current at the time and in the place where such services are employed.

Proviso.
Pay rates, etc.

Operating supplies.

Operating supplies, public buildings: For fuel, steam, gas, and electric current for lighting, heating, and power purposes, water, ice, lighting supplies, removal of ashes and rubbish, snow and ice, cutting grass and weeds, washing towels, telephone service for custodial forces, and for miscellaneous services and supplies, accident prevention, tools and appliances, for the operation of completed and occupied public buildings and grounds, including mechanical and electrical equipment, but not the repair thereof, operated by the Post Office Department, including the Washington Post Office and the Customhouse Building in the District of Columbia, and for the transportation of articles and supplies authorized herein, $5,075,000: *Provided*, That the foregoing appropriation shall not be available for personal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of $100 at any one building: *Provided further*, That the Postmaster General is authorized to contract for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the bureaus and offices receiving the same.

Provisos.
Personal services, restriction.

Contracts for telephone service.

Furniture and equipment.

Furniture, carpets, and safes, public buildings: For the procurement, including transportation, of furniture, carpets, safes, safe and vault protective devices, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, $625,000: *Provided*, That, excepting expenditures for labor for or incidental to the moving of equipment from or into public buildings, the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of $100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan of furniture or not.

Provisos.
Personal services, restriction.

Use of present furniture.

Scientific investigations.
Transfer of sums to Bureau of Standards.

Scientific investigations: In the disbursement of appropriations contained in this title for the field service of the Post Office Department the Postmaster General may transfer to the Bureau of Standards not to exceed $20,000 for scientific investigations in connection with the purchase of materials, equipment, and supplies necessary in the maintenance and operation of the Postal Service.

Deficiency in postal revenues.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1938, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

Short title.

This title may be cited as the Post Office Department Appropriation Act, 1938.

Executive departments, etc.
Amount for travel, etc.

SEC. 2. Appropriations for the fiscal year 1938 available for expenses of travel of civilian officers and employees of the executive departments and establishments shall be available also for expenses of travel performed by them on transfer from one official station to another when authorized by the head of the department or establishment concerned in the order directing such transfer: *Provided*, That such expenses shall not be allowed for any transfer effected for the convenience of any officer or employee.

Proviso.
Transfer for convenience of officers.

Restrictions on expenditures.

SEC. 3. No appropriation available for the executive departments and independent establishments of the Government for the fiscal year ending June 30, 1938, whether contained in this Act or any other Act, shall be expended—

Cost limitation on automobiles.

(a) To purchase any motor-propelled passenger-carrying vehicle (exclusive of busses, ambulances, and station wagons), at a cost, completely equipped for operation, and including the value of any vehicle exchanged, in excess of $750, unless otherwise specifically provided for in the appropriation.

Maintenance, etc., automobiles not used for official purposes.
"Official purposes" construed.

(b) For the maintenance, operation, and repair of any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical services and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department or establishment concerned. The limitations of this subsection (b) shall not apply to any motor vehicles for official use of the President, or of the heads of the executive departments.

Limitations not applicable.

Maintenance, upkeep, etc., limitation.

(c) For the maintenance, upkeep, and repair (exclusive of garage rent, pay of operators, tires, fuel, and lubricants) on any one motor-propelled passenger-carrying vehicle, except busses and ambulances, in excess of one-third of the market price of a new vehicle of the same make and class and in no case in excess of $400.

Appointments after Senate rejection.

SEC. 4. No part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate upon vote has failed to confirm the nomination of such person.

House of Representatives, majority floor leader's office. Pay for certain positions in. 49 Stat. 1221.

SEC. 5. The unobligated balances on the date of the approval of this Act of appropriations contained in the Legislative Branch Appropriation Act, 1937, for three positions in the office of the majority floor leader, House of Representatives, are hereby made available for four positions in such office at annual rates of compensation, respectively, as follows: Legislative clerk, $3,110; clerk, $2,530; and two assistant clerks, at $1,800 each.

Approved, May 14, 1937.

[CHAPTER 181]

AN ACT

May 14, 1937
[H. R 26]
[Public, No. 78]

To amend section 23 of the Immigration Act of February 5, 1917 (39 Stat. 874), as amended (U. S. C., title 8, sec. 102).

Immigration Act of 1917, amendment. 39 Stat. 892. 8 U. S. C. § 102.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section 23 of the Act of February 5, 1917, as reads as follows: "and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid, and to remove to their native land, at any time within three years after entry, at the expense of the appropriations for the enforcement of this Act", is amended to read as follows: "and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid, and to remove to their native country, or the country from whence they came, or to the country of which they are citizens or subjects, at any time after entry, at the expense of the appropriations for the enforcement of this Act, such as fall into distress or need public aid from causes arising subsequent to their entry and are desirous of being so removed, but any person thus removed shall forever be ineligible for readmission except upon the approval of the Secretary of State and the Secretary of Labor;".

Removal at Government expense of certain aliens who apply for deportation.

Ineligibility for readmission.

Approved, May 14, 1937.

[CHAPTER 182]

AN ACT

May 14, 1937
[H. R. 28]
[Public, No. 79]

To authorize the deportation of aliens who secured preference-quota or non-quota visas through fraud by contracting marriage solely to fraudulently expedite admission to the United States, and for other purposes.

Immigration Act of 1924, amendments. 43 Stat. 158. 8 U. S. C. § 209 (f).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (f) of section 9 of the Immigration Act of 1924, as amended (43 Stat. 158; U. S. C., title 8, sec. 209, subdivision (f)), is amended to read as follows:

Nonquota immigrants, restriction on entry.

"SEC. 9. (f) Nothing in this section shall be construed to entitle an immigrant, in respect of whom a petition under this section is granted, either to enter the United States as a nonquota immigrant if, upon arrival in the United States, he is found not to be a nonquota immigrant, or to enter the United States as a preference-quota immigrant if, upon arrival in the United States, he is found not to be a preference-quota immigrant."

Preference-quota immigrants.

SEC. 2. That subdivision (a) of section 13 of the Immigration Act of 1924, as amended (43 Stat. 161; U. S. C., title 8, sec. 213 (a)), is amended to read as follows:

Exclusion from the United States.
43 Stat 161
8 U. S. C. § 213a.

"No immigrant shall be admitted to the United States unless he (1) has an unexpired immigration visa or was born subsequent to the issuance of the immigration visa of the accompanying parent; (2) is of the nationality specified in the visa in the immigration visa; (3) is a nonquota immigrant if specified in the visa in the immigration visa as such; (4) is a preference-quota immigrant if specified in the visa in the immigration visa as such; and (5) is otherwise admissible under the immigration laws."

Immigrants excepted from.

SEC. 3. That any alien who at any time after entering the United States is found to have secured either non-quota or preference-quota visa through fraud, by contracting a marriage which, subsequent to entry into the United States, has been judicially annulled retroactively to date of marriage, shall be taken into custody and deported pursuant to the provisions of section 14 of the Immigration Act of 1924 on the ground that at time of entry he was not entitled to admission on the visa presented upon arrival in the United States. This section shall be effective whether entry was made before or after the enactment of this Act.

Deportation of aliens for unlawful securing of visas through marriage.

43 Stat. 162.

Retroactive operation of section.

When it appears that the immigrant fails or refuses to fulfill his promises for a marital agreement made to procure his entry as an immigrant he then becomes immediately subject to deportation.

Breach of marital agreement.

Approved, May 14, 1937.

[CHAPTER 183]

AN ACT

Declaring Scajaquada Creek, Erie County, New York, to be a non-navigable stream.

May 14, 1937
[H. R. 175]
[Public, No. 80]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Scajaquada Creek, Erie County, New York, is hereby declared to be non-navigable east of a line one hundred and thirty feet west of the west line of Niagara Street, city of Buffalo, county of Erie, New York, within the meaning of the Constitution and laws of the United States.

Scajaquada Creek. Declared non-navigable in Buffalo, N. Y.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 14, 1937.

[CHAPTER 184]

AN ACT

To extend the time for applying for and receiving benefits under the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935.

May 14, 1937
[H. R 2305]
[Public, No. 81]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act entitled "An Act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935, as heretofore amended by the Act approved June 4, 1936 (Public Law Numbered 645, Seventy-fourth Congress), is further amended to read as follows:

Emigration of Filipinos from the United States.
49 Stat. 479, 1462.
48 U. S. C., Supp. II, § 1256.

"SEC. 6. No application for the benefits of this Act shall be accepted by any officer of the Immigration Service after December 1, 1938; and all benefits under this Act shall finally terminate on December 31, 1938, unless the journey has been started on or before that date, in which case the journey to Manila shall be completed."

Time extended for filing application for benefits, etc.

Approved, May 14, 1937.

[CHAPTER 185]

AN ACT

May 14, 1937
[H. R. 3306]
[Public, No 82]

To authorize a preliminary examination and survey of Santa Maria River with a view to the control of its floods.

Santa Maria River, Calif
Survey directed for controlling floods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made of the Santa Maria River and its tributaries, in the State of California, and the Secretary of Agriculture be, and he is hereby, authorized and directed to cause a preliminary examination and survey to be made for run-off and water flow retardation and soil erosion prevention on the watershed of the said river, with a view to the control of its floods, in accordance with the provisions of the Flood Control Act approved June 22, 1936, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

49 Stat. 1570.

Approved, May 14, 1937.

[CHAPTER 186]

AN ACT

May 14, 1937
[H. R. 3903]
[Public, No. 83]

To authorize an appropriation for improvement of ammunition storage facilities at Camp Stanley, Texas, and Savanna Ordnance Depot, Savanna, Illinois.

Army ammunition storage facilities.
Appropriation authorized for improvements at designated depots.
Post, p. 452.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $2,378,836 for improvement of ammunition storage facilities as follows: Camp Stanley, Texas, $1,014,286; and Savanna Ordnance Depot, Savanna, Illinois, $1,364,550, including the necessary construction and installation of buildings, roads, railroads, and fences, utilities and appurtenances incident thereto, and including also the moving and reconditioning of Ordnance and Chemical Warfare Service stores, as may be necessary to provide safe and adequate storage for munitions.

Approved, May 14, 1937.

[CHAPTER 187]

AN ACT

May 14, 1937
[H. R. 5332]
[Public, No 84]

Authorizing allotment of pay by civilian personnel stationed abroad.

Civilian personnel stationed abroad.
Allotment of pay by, permitted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the heads of the executive departments and establishments of the United States, under such regulations as they may prescribe, be, and are hereby, authorized to permit civilian officers and employees, during such time as they may be assigned for duty outside the continental limits of the United States, to make allotments, in whole or in part, from their pay, for the support of their families or relatives, for their own savings, or for other similar purposes.

Approved, May 14, 1937.

[CHAPTER 193]

AN ACT

To authorize the Secretary of War to dispose of material to the National Council of the Boy Scouts of America.

May 15, 1937
[S. 1472]
[Public, No. 85]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized, in his discretion and under such regulations as he may promulgate, to sell to the National Council of the Boy Scouts of America such obsolete material as may not be needed by the War Department, and such other material as may be spared, at prices representing a fair value to the War Department, including the cost of packing, handling, and transportation.

National Council, Boy Scouts of America.
Disposal of obsolete, etc., Army material to, authorized.

Approved, May 15, 1937.

[CHAPTER 194]

AN ACT

To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936.

May 15, 1937
[S. 1571]
[Public, No. 86]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by changing the heading "Los Angeles and San Gabriel Rivers, California", to read "Los Angeles County Drainage Area, California", and changing the paragraph immediately following said heading to read as follows: "Construction of reservoirs and principal flood channels 'in Los Angeles and San Gabriel Rivers and Ballona Creek and tributaries thereof' ", in accordance with plans to be approved by the Chief of Engineers on recommendation of the Board of Engineers for Rivers and Harbors at an estimated construction cost not to exceed $70,000,000; estimated cost of lands and damages, $5,000,000.

Flood Control Act of 1936, amendment.
Los Angeles and San Gabriel Rivers, Calif
Flood control project extended.
49 Stat. 1589.

Estimated costs.

Approved, May 15, 1937.

[CHAPTER 195]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebraska.

May 15, 1937
[H. R. 193]
[Public, No. 87]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Rulo, Nebraska, authorized to be built by John C. Mullen, John H. Hutchings, William Shepherd, their heirs, legal representatives, and assigns, by Act of Congress approved March 4, 1933, heretofore extended by Act of Congress approved August 23, 1935, are hereby extended one and three years, respectively, from the date of approval hereof.

Missouri River.
Time extended for bridging at Rulo, Nebr.

47 Stat. 1555; 49 Stat. 728.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 15, 1937.

[CHAPTER 196]

AN ACT

May 15, 1937
[H. R. 2928]
[Public, No. 88]

To amend the law relating to residence requirements of applicants for examinations before the Civil Service Commission.

Civil Service Commission.
26 Stat 235
5 U. S. C § 643.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso of the second paragraph under the caption "Civil Service Commission" in the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-one, and for other purposes", approved July 11, 1890, as amended, is hereby amended to read as follows:

Applications for examinations.
Certificate of residence to accompany.

"Hereafter every application for examination before the Civil Service Commission for appointment in the departmental service in the District of Columbia shall be accompanied by a certificate of an officer, with his official seal attached, of the county and State of which the applicant claims to be a citizen, that such applicant was, at the time of making such application, a legal or voting resident of said county, and had been such resident for a period of not less than one year next preceding, but this provision shall not apply to persons who may be in the service with civil-service status and seek promotion or appointment in other branches of the Government."

Promotion or transfer.

Approved May 15, 1937.

[CHAPTER 197]

AN ACT

May 15, 1937
[H. R. 5179]
[Public, No. 89]

Granting the consent of Congress to the County Commissioners of Essex County, in the State of Massachusetts, to construct, reconstruct, maintain, and operate a free highway bridge across the Merrimack River between the city of Haverhill and the town of Groveland, Massachusetts.

Merrimack River.
Essex County, Mass., may bridge, between Haverhill and Groveland.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the County Commissioners of Essex County, in the State of Massachusetts, and their successors and assigns, to construct, reconstruct, maintain, and operate a free highway bridge and approaches thereto across the Merrimack River between the city of Haverhill and the town of Groveland in the county of Essex, in the State of Massachusetts, at and near the location of the existing bridge known as the Groveland Bridge, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
34 Stat. 84.
33 U. S. C. §§ 491-498.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 15, 1937.

[CHAPTER 198]

AN ACT

May 15, 1937
[H. R. 5554]
[Public, No. 90]

To authorize the Secretary of War to lend War Department equipment for use at the 1937 National Encampment of Veterans of Foreign Wars to be held in Buffalo and Niagara Falls, New York, from August 29 to September 3, 1937.

Veterans of Foreign Wars.
Loan of Army tents, etc., for encampment of, Buffalo and Niagara Falls, N. Y.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to lend, at his discretion, to the Veterans of Foreign Wars for use at their national encampment to be held in Buffalo and Niagara Falls, New York, from August 29 to September

3, 1937, such tents, cots, and blankets, and other available stock out of the Army and National Guard supplies as such department may require to house properly veterans attending such encampment: *Provided*, That no expense shall be caused the United States Government by the delivery and return of such property, the same to be delivered at such time prior to the holding of such encampment as may be agreed upon by the Secretary of War and the Veterans of Foreign Wars: *Provided further*, That the Secretary of War, before delivering such property, shall take from such organization a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

Provisos.
No Federal expense.

Bond.

Approved, May 15, 1937.

[CHAPTER 220]

AN ACT

To create the office of Counselor of the Department of State.

May 18, 1937
[S. 2160]
[Public, No. 91]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be in the Department of State a Counselor of the Department of State, to be appointed by the President, by and with the advice and consent of the Senate, with a salary of $10,000 per annum.

Counselor of the Department of State.
Office created; appointment, salary.

Approved, May 18, 1937.

[CHAPTER 221]

AN ACT

To provide for the establishment of a Coast Guard station on Lake Pontchartrain, Louisiana, and for other purposes.

May 18, 1937
[H. R. 2516]
[Public, No. 92]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on Lake Pontchartrain, Louisiana, at the Port of New Orleans.

Lake Pontchartrain, La.
Establishment of Coast Guard station on, authorized.

Approved, May 18, 1937.

[CHAPTER 222]

AN ACT

To provide for the establishment of a Coast Guard station at or near Pass-a-Grille Beach, Florida.

May 18, 1937
[H. R. 2899]
[Public, No. 93]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Pass-a-Grille Beach, Florida, at such point as the Commandant of the Coast Guard may recommend.

Pass-a-Grille Beach, Fla.
Establishment of Coast Guard station authorized.

Approved, May 18, 1937.

[CHAPTER 223]

AN ACT

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1938, and for other purposes.

May 18, 1937
[H. R. 5966]
[Public, No. 94]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1938, namely:

Legislative Branch Appropriation Act, 1938.

Senate.

SENATE

Senators.

SALARIES AND MILEAGE OF SENATORS

Compensation.

For compensation of Senators, $960,000.

Mileage.

For mileage of the President of the Senate and of Senators, $51,000.

Officers, clerks, messengers, etc.

For compensation of officers, clerks, messengers, and others:

Vice President's office.

OFFICE OF THE VICE PRESIDENT

Secretary to, and clerks

Salaries: Secretary to the Vice President, $4,620; clerk, $2,400; assistant clerks—one $2,280, one $2,160; in all, $11,460.

CHAPLAIN

Chaplain.

Chaplain of the Senate, $1,680.

Secretary's office.

OFFICE OF THE SECRETARY

Secretary, assistants, clerks, etc.

Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, $8,000; Chief Clerk, who shall perform the duties of reading clerk, $5,500 and $1,000 additional so long as the position is held by the present incumbent; financial clerk, $5,000 and $2,000 additional so long as the position is held by the present incumbent; assistant financial clerk, $4,500; Parliamentarian, $5,000 and $1,000 additional so long as the position is held by the present incumbent; Journal Clerk, $3,780; principal clerk, $3,780; legislative clerk, $4,000 and $1,000 additional so long as the position is held by the present incumbent; enrolling clerk, $4,000 and $1,000 additional so long as the position is held by the present incumbent; printing clerk, $3,540; chief bookkeeper, $3,600; librarian, $3,360; assistant Journal Clerk, $3,360; executive clerk, $3,180; first assistant librarian, $3,120; keeper of stationery, $3,320; clerks—one at $3,180, one at $2,880 and $300 additional so long as the position is held by the present incumbent, three at $2,880 each, two at $2,640 each, clerk in Disbursing Office, in lieu of position created by resolution of May 12, 1932, $2,400, six at $2,400 each, three at $1,860 each, three at $1,740 each; special officer, $2,460; laborers—one at $1,740, one at $1,620, five at $1,380 each, one in Secretary's office, $1,680, one, $1,560; in all, $136,880.

Document Room.

DOCUMENT ROOM

Superintendent, etc. *Post*, p. 755.

Salaries: Superintendent, $3,960; first assistant, $2,640; second assistant, $2,040; four assistants, at $2,040 each; skilled laborer, $1,380; in all, $18,180.

Committee employees.

COMMITTEE EMPLOYEES

Clerks and messengers.

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Appropriations—clerk, $7,000 and $1,000 additional so long as the position is held by the present incumbent; assistant clerk $4,800; assistant clerk, $3,900; three assistant clerks at $3,000 each; two assistant clerks at $2,220 each; messenger, $1,800. To Audit and Control the Contingent Expenses of the Senate—clerk, $3,900; assistant clerk, $2,800; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Banking and Currency—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220. Civil Service—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Claims—clerk, $3,900; assistant

Post, p. 325.

clerk, $2,880; assistant clerk, $2,580; two assistant clerks at $2,220 each. Commerce—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,400; two assistant clerks, at $2,220 each. Conference Majority of the Senate—clerk, $3,900; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. Conference Minority of the Senate—clerk, $3,900; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. District of Columbia—clerk, $3,900; two assistant clerks at $2,880 each; assistant clerk, $2,220; additional clerk, $1,800. Education and Labor—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Enrolled Bills—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Expenditures in the Executive Departments—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Finance—clerk, $4,200; special assistant to the committee, $3,600; assistant clerk, $2,880; assistant clerk, $2,700; assistant clerk, $2,400; two assistant clerks at $2,220 each; two experts (one for majority and one for the minority) at $3,600 each; messenger, $1,800. Foreign Relations—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800; messenger, $1,800. Immigration—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Indian Affairs—clerk, $3,900; assistant clerk, $3,600; assistant clerk, $2,880; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Interoceanic Canals—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Interstate Commerce—clerk, $3,900; assistant clerk, $3,600; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. Irrigation and Reclamation—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; two additional clerks at $1,800 each. Judiciary—clerk, $3,900; assistant clerk, $2,880; two assistant clerks at $2,580 each; assistant clerk, $2,220. Library—clerk, $3,900; two assistant clerks, at $2,400 each; assistant clerk, $2,220; additional clerk, $1,800. Manufactures—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Military Affairs—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,400; two assistant clerks at $2,220 each. Mines and Mining—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; two additional clerks, at $1,800 each. Naval Affairs—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,400; two assistant clerks at $2,220 each. Patents—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Pensions—clerk, $3,900; assistant clerk, $2,580; four assistant clerks at $2,220 each. Post Offices and Post Roads—clerk, $3,900; assistant clerk, $2,880; four assistant clerks at $2,220 each; additional clerk, $1,800. Printing—clerk, $3,900; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Privileges and Elections—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Public Buildings and Grounds—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Public Lands and Surveys—clerk, $3,900; assistant clerk, $2,880; assistant clerk, $2,580; two assistant clerks at $2,220 each. Revision of the Laws—clerk, $3,900; assistant clerk, $2,400; assistant clerk, $2,220; additional clerk, $1,800. Rules—clerk, $3,900 and $200 toward the preparation biennially of the Senate Manual under the direction of the Committee on Rules; assistant clerk, $2,880; assistant clerk, $2,580; assistant clerk, $2,220; additional clerk, $1,800. Territories and Insular Affairs—clerk, $3,900; assistant clerk, $2,580; two assistant clerks, at $2,220 each; assistant clerk, $2,000; additional clerk, $1,800; in all, $504,060.

Senate Manual.

Clerical assistants to Senators.

CLERICAL ASSISTANTS TO SENATORS

Allowance to Senators not chairmen of specified committees.

Clerical assistance to Senators who are not chairmen of the committees specially provided for herein, as follows: Seventy clerks at $3,900 each; seventy assistant clerks at $2,400 each; and seventy assistant clerks at $2,220 each; such clerks and assistant clerks shall be ex-officio clerks and assistant clerks of any committee of which their Senator is chairman; seventy additional clerks at $1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman; messenger, $1,800; in all, $724,200.

Ex-officio committee clerks.

Office of Sergeant at Arms, etc.

OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Sergeant at Arms and Doorkeeper, secretaries, etc.
Post, p. 755.

Salaries: Sergeant at Arms and Doorkeeper, $8,000; two secretaries (one for the majority and one for the minority), at $5,400 each; two assistant secretaries (one for the majority and one for the minority), at $4,320 each; Deputy Sergeant at Arms and storekeeper, $4,800; clerks—one $3,000, one $2,100, two, at $2,000 each, one $1,800, one to the secretary for the majority, $1,800; one to the secretary of the minority, $1,800, one $1,500; assistant doorkeeper, $2,880; messengers—three (acting as assistant doorkeepers), at $2,400 each; thirty-one (including four for minority), at $1,740 each; four, at $1,620 each; one at card door, $2,640, and $240 additional so long as the position is held by the present incumbent; clerk on journal work for Congressional Record to be selected by the Official Reporters, $3,360; upholsterer and locksmith, $2,400; cabinetmaker, $2,040; three carpenters, at $2,040 each; janitor, $2,400; five skilled laborers, $1,680 each; laborer in charge of private passage, $1,740; three female attendants in charge of ladies' retiring rooms, at $1,500 each; three attendants to women's toilet rooms, Senate Office Building, at $1,500 each; telephone operators—chief, $2,460 and $280 additional so long as the position is held by the present incumbent; fourteen, at $1,560 each; laborer in charge of Senate toilet rooms in old library space, $1,200; press gallery—superintendent, $3,660; assistant superintendent, $2,520; messengers for service to press correspondents—one, $2,160; three at $1,440 each; laborers—three, at $1,380 each; thirty at $1,260 each; three, at $480 each; special employees—seven, at $1,000 each; twenty-one pages for the Senate Chamber, at the rate of $4 per day each, during the session, $15,204; in all, $261,104.

Clerks, messengers, etc.

Laborers, etc.

Superintendent, press gallery.

Pages.

Police, Senate Office Building.

Police force for Senate Office Building under the Sergeant at Arms: Lieutenant, $1,740; special officer, $1,740; thirty-one privates at $1,620; in all, $53,700.

Post Office.

POST OFFICE

Postmaster, assistant, etc.

Salaries: Postmaster, $3,600; assistant postmaster, $2,880; chief clerk, $2,460; wagon master, $2,280; twenty-six mail carriers, at $1,620 each; in all, $53,340.

Folding Room.

FOLDING ROOM

Salaries.

Salaries: Foreman, $2,460; assistant, $2,160; clerk, $1,740; folders—chief, $2,040, fourteen at $1,440 each; in all, $28,560.

Legislative Pay Act of 1929, amended.
46 Stat. 32.
2 U. S. C. § 60a.

The provisions of the Legislative Pay Act of 1929 are hereby amended so as to correspond with the changes made by this Act in the designations and rates of salary of certain positions under the Senate.

CONTINGENT EXPENSES OF THE SENATE

Contingent expenses.

Automobile for Vice President.

For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $4,000.

Reporting debates.

For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $60,340.

Furniture; cleaning, repairing, etc.

For services in cleaning, repairing, and varnishing furniture, $2,000.

Inquiries and investigations.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, $150,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Proviso.
Per diem and subsistence.
44 Stat. 688.
5 U. S. C. §§ 821–833

Joint Committee on Internal Revenue Taxation; one-half expenses.
Post, p. 177.

For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, $29,000.

Folding, etc.

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $18,000.

For materials for folding, $1,500.

Fuel, oil, advertising, etc.

For fuel, oil, cotton waste, and advertising, exclusive of labor, $2,000.

Senate kitchens and restaurants.

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, $35,000: *Provided*, That said Committee on Rules is hereby authorized and directed hereafter to add a minimum of 10 per centum to each order in excess of 10 cents served in the said restaurants and 20 per centum to all orders served outside of said restaurants, and the proceeds accruing therefrom shall be placed in a fund to be used in the payment of any deficit incurred in the management of such kitchens and restaurants.

Proviso.
Increase in prices authorized.

Outside service.

Motor vehicles.

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $7,960.

Miscellaneous items.

For miscellaneous items, exclusive of labor, $200,000.

Packing boxes.

For packing boxes, $970.

Postage stamps.

Postage stamps: For office of Secretary, $250; office of Sergeant at Arms, $100; in all, $350.

Furniture; purchase, etc.

For the purchase of furniture, $5,000.

For materials for furniture and repairs of same, exclusive of labor, $3,000.

Stationery.

For stationery for Senators and for the President of the Senate, including $7,500 for stationery for committees and officers of the Senate, $19,500.

Warehouse rent.

For rent of warehouse for storage of public documents, $2,000.

Honorable John H. Overton.
Contested election expenses.

For payment to Honorable John H. Overton, a Senator from the State of Louisiana, for expenses incurred, including counsel fees, in the contest resulting from the election held November 8, 1932, $2,593.78.

HOUSE OF REPRESENTATIVES

House of Representatives.

SALARIES AND MILEAGE OF MEMBERS

Members, etc.

Compensation.

For compensation of Members of the House of Representatives, Delegates from Territories, the Resident Commissioner from Puerto Rico, $4,385,000.

Mileage.

For mileage of Representatives, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska, $171,000.

Officers, clerks, messengers, etc.

For compensation of officers, clerks, messengers, and others:

Speaker's office

OFFICE OF THE SPEAKER

Secretary, etc.

Salaries: Secretary to the Speaker, $4,620; three clerks to the Speaker, at $2,400 each; messenger to Speaker, $1,680; in all, $13,500.

Speaker's table.

THE SPEAKER'S TABLE

Parliamentarian, etc.
Preparing Digest of Rules.

Salaries: Parliamentarian $4,500, and $1,500 additional so long as the position is held by the present incumbent, and for preparing Digest of the Rules, $1,000 per annum; Assistant Parliamentarian, $2,760 and $750 additional so long as the position is held by the present incumbent; messenger to Speaker's Table, $1,740; in all, $12,250.

CHAPLAIN

Chaplain.

Chaplain of the House of Representatives, $1,680.

Clerk's office.

OFFICE OF THE CLERK

Clerk of the House, clerks, etc.
Post, p. 756.

Salaries: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, $8,000; Journal clerk, two reading clerks, and tally clerk, at $5,000 each; enrolling clerk, $4,000; disbursing clerk, $3,960; file clerk, $3,780; chief bill clerk, $3,540; assistant enrolling clerk, $3,180; assistant to disbursing clerk, $3,120; stationery clerk, $2,880; librarian, $2,760; assistant librarian, and assistant file clerk, at $2,520 each; assistant Journal clerk, and assistant librarian, at $2,460 each; clerks—one at $2,460, three at $2,340 each; bookkeeper, and assistant in disbursing office, at $2,160 each; four assistants to chief bill clerk at $2,100 each; stenographer to the Clerk, $1,980; assistant in stationery room, $1,740; three messengers at $1,680 each; stenographer to Journal clerk, $1,560; laborers—three at $1,440 each, nine at $1,260 each; telephone operators—assistant chief, $1,620; twenty-three at $1,560 each; substitute telephone operator, when required, at $4 per day, $1,460; property custodian and superintendent of furniture and repair shop, who shall be a skilled cabinetmaker or upholsterer and experienced in the construction and purchase of furniture, $3,960; two assistant custodians at $3,360 each; locksmith and typewriter repairer, $1,860; messenger and clock repairer, $1,740; operation, maintenance, and repair of motor vehicles, $1,200; in all, $167,800.

Committee employees.

COMMITTEE EMPLOYEES

Clerks, messengers, and janitors.
Post, p. 756.

Clerks, messengers, and janitors to the following committees: Accounts—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Agriculture—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Appropriations—clerk, $7,000 and $1,000 additional so long as the position is held by the present incumbent; assistant clerk, $5,000 and $1,000 additional so long as the position is held by the present incumbent; three assistant clerks at $3,900 each; assistant clerk, $3,600; two assistant clerks at $3,300 each; messenger, $1,680. Banking and Currency—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Census—clerk, $2,760; janitor, $1,260. Civil Service—clerk, $2,760; janitor, $1,260. Claims—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Coinage, Weights, and Measures—clerk, $2,760; janitor, $1,260. Disposition of Executive Papers—clerk, $2,760. District of Columbia—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260.

Education—clerk, $2,760. Election of President, Vice President, and Representatives in Congress—clerk, $2,760. Elections Numbered 1—clerk, $2,760; janitor, $1,260. Elections Numbered 2—clerk, $2,760; janitor, $1,260. Elections Numbered 3—clerk, $2,760; janitor, $1,260. Enrolled Bills—clerk, $2,760; janitor, $1,260. Expenditures in Executive Departments—clerk, $3,300; janitor, $1,260. Flood Control—clerk, $2,760; janitor, $1,260. Foreign Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Immigration and Naturalization—clerk, $3,300; janitor, $1,260. Indian Affairs—clerk, $3,300; assistant clerk, $2,460; janitor, $1,260. Insular Affairs—clerk, $2,760; janitor, $1,260. Interstate and Foreign Commerce—clerk, $3,900; additional clerk, $2,640; assistant clerk, $2,100; janitor, $1,560. Irrigation and Reclamation—clerk, $2,760; janitor, $1,260. Invalid Pensions—clerk, $3,300; assistant clerk, $2,880; expert examiner, $2,700; stenographer, $2,640; janitor, $1,500. Judiciary—clerk, $3,900; assistant clerk, $2,160; assistant clerk, $1,980; janitor, $1,560. Labor—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Library—clerk, $2,760; janitor, $1,260. Merchant Marine and Fisheries—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Military Affairs—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Mines and Mining—clerk, $2,760; janitor, $1,260. Naval Affairs—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Patents—clerk, $2,760; janitor, $1,260. Pensions—clerk, $3,300; assistant clerk, $2,160; janitor, $1,260. Post Office and Post Roads—clerk, $3,300; assistant clerk, $2,100; janitor, $1,560. Printing—clerk, $2,760; janitor, $1,560. Public Buildings and Grounds—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Public Lands—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Revision of the Laws—clerk, $3,300; janitor, $1,260. Rivers and Harbors—clerk, $3,300; assistant clerk, $2,460; janitor, $1,560. Roads—clerk, $2,760; assistant clerk, $1,740; janitor, $1,260. Rules—clerk, $3,300; assistant clerk, $2,100; janitor, $1,260. Territories—clerk, $2,760; janitor, $1,260. War Claims—clerk, $3,300; assistant clerk, $1,740; janitor, $1,260. Ways and Means—clerk, $4,620; assistant clerk and stenographer, $2,640; assistant clerk, $2,580; clerk for minority, $3,180; janitors—one, $1,560; one, $1,260. World War Veterans' Legislation—clerk, $3,300; assistant clerk, $2,460; in all, $299,540.

OFFICE OF SERGEANT AT ARMS

Office of Sergeant at Arms.

Salaries: Sergeant at Arms, $8,000; Deputy Sergeant at Arms, $3,180; cashier, $6,000; assistant cashier, $4,000; two bookkeepers at $3,360 each; Deputy Sergeant at Arms in charge of pairs, $3,600; pair clerk and messenger, $2,820; stenographer and typewriter, $1,800; skilled laborer, $1,380; hire of automobile, $600; in all, $38,100.

Sergeant at Arms, Deputy, cashier, etc.

Police force, House Office Building, under the Sergeant at Arms: Lieutenant, $1,740; sergeant, $1,680; thirty-seven privates at $1,620 each; in all, $63,360.

Police, House Office Building.

OFFICE OF DOORKEEPER

Doorkeeper's office.

Salaries: Doorkeeper, $6,000; special employee, $2,820; superintendent of House press gallery, $3,660; assistant to the superintendent of the House press gallery, $2,520; chief janitor, $2,700; messengers—seventeen at $1,740 each, fourteen on soldiers' roll at $1,740 each; laborers—seventeen at $1,260 each, two (cloakroom) at $1,380 each, one (cloakroom) $1,260, and seven (cloakroom) at $1,140 each; three female attendants in ladies' retiring rooms at $1,680 each, attendant for the ladies' reception room, $1,440; superintendent of folding room, $3,180; foreman of folding room, $2,640; chief clerk to superintendent of folding room, $2,460; three clerks at $2,160 each;

Doorkeeper, special employee, etc. *Post*, p. 756.

Janitors, messengers, etc.

Folding room.

Pages.

janitor, $1,260; laborer, $1,260; thirty-one folders at $1,440 each; shipping clerk, $1,740; two drivers at $1,380 each; two chief pages at $1,980 each; two telephone pages at $1,680 each; two floor managers of telephones (one for the minority) at $3,180 each; two assistant floor managers in charge of telephones (one for the minority) at $2,100 each; forty-seven pages, during the session, including ten pages for duty at the entrances to the Hall of the House, at $4 per day each, $34,028; press gallery page, $1,920; superintendent of document room (Elmer A. Lewis), $3,960; assistant superintendent of document room, $2,760 and $420 additional so long as the position is held by the present incumbent; clerk, $2,320; assistant clerk, $2,160; eight assistants at $1,860 each; janitor, $1,440; messenger to pressroom, $1,560; maintenance and repair of folding room motor truck, $500; in all, $261,788.

Document room.
Post, p. 756.

Special and minority employees.

SPECIAL AND MINORITY EMPLOYEES

Minority employees.

For the minority employees authorized and named in the House Resolutions Numbered 51 and 53 of December 11, 1931: Two at $5,000 each, three at $2,820 each; one at $3,600 (minority pair clerk, House Resolution Numbered 313 of August 7, 1935); in all, $22,060.

Special employees.

Special employees: Assistant foreman of the folding room, authorized in the resolution of September 30, 1913, $1,980; laborer, authorized and named in the resolution of April 28, 1914, $1,380; laborer, $1,380; clerk, under the direction of the Clerk of the House, named in the resolution of February 13, 1923, $3,060; in all, $7,800.

Appointment of successors

Successors to any of the employees provided for in the two preceding paragraphs may be named by the House of Representatives at any time.

Majority floor leader.

Office of majority floor leader: Legislative clerk, $3,110; clerk, $2,530; two assistant clerks, at $1,800 each; for official expenses of the majority leader, as authorized by House Resolution Numbered 101, Seventy-first Congress, adopted December 18, 1929, $2,000; in all, $11,240.

Conference minority.

Conference minority: Clerk, $3,180; legislative clerk, $3,060; assistant clerk, $2,100; janitor, $1,560; in all, $9,900. The foregoing employees to be appointed by the minority leader.

Caucus rooms, messengers.

Two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, at $1,740 each; in all, $3,480.

Post Office.

POST OFFICE

Postmaster, assistant, etc.

Salaries: Postmaster, $5,000; assistant postmaster, $2,880; two registry and money-order clerks, at $2,100 each; forty messengers (including one to superintend transportation of mails) at $1,740 each; substitute messengers and extra services of regular employees, when required, at the rate of not to exceed $145 per month each, $1,740; laborer, $1,260; in all, $84,680.

Motor vehicles.

For the purchase, exchange, maintenance, and repair of motor vehicles for carrying the mails, $2,500.

OFFICIAL REPORTERS OF DEBATES

Official reporters, etc.

Salaries: Six official reporters of the proceedings and debates of the House at $7,500 each; clerk, $4,000; assistant clerk, $2,000; six expert transcribers at $2,000 each; in all, $63,000.

COMMITTEE STENOGRAPHERS

Stenographers to committees, etc.

Salaries: Four stenographers to committees, at $7,000 each; clerk, $3,360; in all, $31,360.

Whenever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the one hundred and eighty-one days from January 1 to June 30, 1938, both inclusive.

"During the session" construed.

CLERK HIRE, MEMBERS, AND DELEGATES

Members, etc.

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, in accordance with the Act entitled "An Act to fix the compensation of officers and employees of the legislative branch of the Government", approved June 20, 1929, $2,190,000.

Clerk hire, etc.
46 Stat. 38.
2 U. S. C. § 60b.

CONTINGENT EXPENSES OF THE HOUSE

Contingent expenses.

Furniture, etc.

For furniture and materials for repairs of the same, including not to exceed $27,500 for labor, tools, and machinery for furniture repair shops, $62,700, of which sum $23,000 shall be available immediately.

Packing boxes.

For packing boxes, $3,500.

Miscellaneous items.

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including reimbursement to the official stenographers to committees for the amounts actually paid out by them for transcribing hearings, and including materials for folding, $95,000, of which $35,000 shall be available immediately.

Reports of committee hearings.

For stenographic reports of hearings of committees other than special and select committees, $30,000.

Special and select committees.

For expenses of special and select committees authorized by the House, $60,000.

Joint Committee on Internal Revenue Taxation; one-half expenses.

For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, $29,000.

Ante, p. 173.

Expenditures restricted.

No part of the appropriations contained herein for the contingent expenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate), nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office and except the widow or minor children or both of the deceased, to attend the funeral rites and burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico.

Funeral expenses limited.

Telegraph and telephone service.

For telegraph and telephone service, exclusive of personal services, $95,000.

Stationery.

For stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, for the second session of the Seventy-fifth Congress, and for stationery for the use of the committees and officers of the House (not to exceed $5,000), $59,750.

Emergency room.

For medical supplies, equipment, and contingent expenses for the emergency room and for the attending physician and his assistants, including an allowance of not to exceed $30 per month each to three assistants as provided by the House resolutions adopted July 1, 1930, and January 20, 1932, $3,000.

Postage stamps.

Postage stamps: Postmaster, $250; Clerk, $450; Sergeant at Arms, $300; Doorkeeper, $150; in all $1,150.

Folding, etc.

For folding speeches and pamphlets, at a rate not exceeding $1 per thousand, $13,500 to be available immediately.

United States Code, preparation, etc.
45 Stat. 1008.
1 U. S. C. § 59.

For preparation and editing of the laws as authorized by the Act approved May 29, 1928 (U. S. C., title 1, sec. 59), $6,500, to be expended under the direction of the Committee on Revision of the Laws.

Assistants to Clerk of House.
Specified objects, etc.

For assistants in compiling lists of reports to be made to Congress by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; preparing lists of congressional nominees and statistical summary of elections; preparing and indexing questions of order printed in the Appendix to the Journal pursuant to House Rule III; for recording and filing statements of political committees and candidates for election to the House of Representatives pursuant to the Federal Corrupt Practices Act, 1925 (U. S. C., title 2, secs. 241–256); and for such other assistance as the Clerk of the House may deem necessary and proper in the conduct of the business of his office, $5,000: *Provided*, That no part of this appropriation shall be used to augment the annual salary of any employee of the House of Representatives.

Political committees, etc., recording of statements.
43 Stat. 1070
2 U. S. C. §§ 241–256.

Proviso
Restriction.

Automobile for Speaker.

For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, $4,000.

Capitol Police.

CAPITOL POLICE

Salaries.

Salaries: Captain, $2,700; three lieutenants, at $1,740 each; two special officers, at $1,740 each; three sergeants, at $1,680 each; fifty-two privates, at $1,620 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, $100,680: *Provided*, That no part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police (including those for the Senate and House Office Buildings) who does not meet the standards to be prescribed for such appointees by the Capitol Police Board.

Proviso.
Standards prescribed.

Uniforms, etc.

For purchasing and supplying uniforms, purchase, exchange, maintenance, and repair of motor-propelled passenger-carrying vehicles, contingent expenses, including $25 per month for extra services performed by a member of such force for the Capitol Police Board, $9,400, of which $360 shall be immediately available to pay for two vehicles heretofore exchanged during the fiscal year 1937.

Division of disbursement.

One-half of the foregoing amounts under "Capitol Police" shall be disbursed by the Secretary of the Senate and one-half by the Clerk of the House.

Joint Committee on Printing.

JOINT COMMITTEE ON PRINTING

Clerk, assistant, etc.
28 Stat. 603.
44 U. S. C. § 49.

Salaries: Clerk, $4,000 and $800 additional so long as the position is held by the present incumbent; inspector under section 20 of the Act approved January 12, 1895 (U. S. C., title 44, sec. 49), $2,820; assistant clerk and stenographer, $2,640; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; in all, $11,860, one-half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

Congressional Directory.

Office of Legislative Counsel.

OFFICE OF LEGISLATIVE COUNSEL

Salaries and expenses.

For salaries and expenses of maintenance of the office of Legislative Counsel, as authorized by law, $75,000, of which $37,500 shall be disbursed by the Secretary of the Senate and $37,500 by the Clerk of the House of Representatives.

STATEMENT OF APPROPRIATIONS

Statement of Appropriations

Preparation, first session of Seventy-fifth Congress.

For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives, of the statements for the first session of the Seventy-fifth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, $4,000, to be paid to the persons designated by the chairmen of such committees to do the work.

ARCHITECT OF THE CAPITOL

Architect of the Capitol.

OFFICE OF THE ARCHITECT OF THE CAPITOL

Architect, assistant, and office personnel.

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect; $54,500.

CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings and grounds.
Maintenance, repair, etc.

Capitol Buildings: For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; personal and other services; cleaning and repairing works of art; purchase or exchange (not to exceed $1,000), maintenance, and driving of motor-propelled passenger-carrying office vehicle; not exceeding $300 for the purchase of technical and necessary reference books, periodicals, and city directory; $296,199, of which sum $7,868 shall be available for repairs, alterations, and equipment in the gallery area of the House wing of the Capitol for the accommodation of the press and construction changes incident thereto in accordance with plans prepared by the Architect of the Capitol.

Travel, etc., expenses.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of $1,500.

Improving Capitol grounds.

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol power plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 (U. S. C., title 41, sec. 5) and 3744 (U. S. C., title 41, sec. 16) of the Revised Statutes, $103,107.

R. S. §§ 3709, 3744. 41 U. S. C. §§ 5, 16.

Legislative garage.

Legislative garage: For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, $9,280.

Subway, Capitol and Senate Office Buildings.

Subway transportation, Capitol and Senate Office Buildings: For repairs, rebuilding, and maintenance of the subway cars connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the track and electrical equipment connected therewith, $2,000.

Senate Office Building, maintenance, etc.

Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment and for labor and material incident thereto and repairs thereof; and for personal and other services for the care and operation of the Senate

Office Building, under the direction and supervision of the Senate Committee on Rules, acting through the Architect of the Capitol, who shall be its executive agent; in all, $292,069, of which $23,000 shall be for painting office and committee rooms, corridor and stairway walls, and interior woodwork in office and committee rooms; $5,000 for office and committee room rugs; $17,000 for repairing and reconditioning office doors, door frames, and door panels; and $5,000 for letter-filing cabinets and storage units.

House Office Buildings, maintenance, etc.

House Office Buildings: For maintenance, including equipment, miscellaneous items, and for all necessary services, $351,370.

Capitol power plant, maintenance, etc.

Capitol power plant: For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, and folding and storage rooms of the Senate; for heating the Government Printing Office and Washington City post office and for light and power therefor whenever available; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the heating, lighting, and power plant, $947,870, of which sum $462,250 shall be immediately available.

Purchases independent of Procurement Division, Treasury Department.
36 Stat. 531.
41 U. S. C. § 7.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (U. S. C., title 41, sec. 7), concerning purchases for executive departments.

Reimbursement for heat, etc., to designated buildings.

The Government Printing Office and the Washington City post office shall reimburse the Capitol power plant for heat, light, and power whenever any such service is furnished during the fiscal year 1938, and the amounts so reimbursed shall be covered into the Treasury.

LIBRARY BUILDING AND GROUNDS

Library Building and grounds.
Salaries.

Salaries: For chief engineer and all personal services at rates of pay provided by law, $47,920.

Sunday opening.

Salaries, Sunday opening: For extra services of employees and additional employees under the Architect of the Capitol to provide for the opening of the Library Building on Sundays and on holidays, at rates to be fixed by such Architect, $2,139.

Maintenance, repair, etc.

For necessary expenditures for the Library Building and Grounds under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such building and grounds, $24,500: *Provided*, That the unexpended balance on June 30, 1937, of the portion of the appropriation of $139,900 and of the reappropriation of $30,300 allocated for installation, replacement, and reconditioning of elevators, contained in the Legislative Branch Appropriation Act, 1936, and continued available for the fiscal year 1937, shall continue available for the same purposes until June 30, 1938.

Proviso.
Maintenance, etc., of elevators.
49 Stat. 470, 1225.

Furniture, etc.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, $14,000.

Annex, construction, equipment, etc.
46 Stat. 583; 48 Stat. 202; 49 Stat. 326.

Annex, Library of Congress: To complete carrying out the provisions of the Act entitled "An Act to provide for the construction and equipment of an annex to the Library of Congress", approved June 13, 1930 (46 Stat. 583), as amended by the Act approved June 6, 1935 (49 Stat. 326), $2,800,000, to remain available until expended.

BOTANIC GARDEN

Botanic Garden.

Salaries: For personal services (including not exceeding $3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), $81,662; all under the direction of the Joint Committee on the Library.

Salaries.

Maintenance, operation, repairs, and improvements: For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons when required for use by employees in connection with their work; not to exceed $25 for emergency medical supplies; disposition of waste; traveling expenses of the director and his assistants not to exceed $100; street-car fares not exceeding $25; office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange, of motor trucks and a passenger motor vehicle (the cost of such passenger vehicle not to exceed $750, including the amount allowed on any vehicle given in part payment therefor); purchase of botanical books, periodicals, and books of reference, not to exceed $100; repairs and improvements to director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library; $20,000.

Maintenance, repairs, etc.

The sum of $300 may be expended at any one time by the Botanic Garden for the purchase of plants, trees, shrubs, and other nursery stock, without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec 5).

Minor purchases without advertising. R. S. § 3709. 41 U. S. C. § 5.

No part of the appropriations contained herein for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

Distribution of nursery stock.

The purchase of supplies and equipment and the procurement of services at the Botanic Garden may be made in the open market without compliance with sections 3709 and 3744 of the Revised Statutes of the United States in the manner common among businessmen, when the aggregate amount of the purchase or the services does not exceed $50 in any instance.

Open-market purchases of supplies, etc. R. S. §§ 3709, 3744. 41 U. S. C. §§ 5, 16.

LIBRARY OF CONGRESS

Library of Congress.

SALARIES

Salaries.

For the Librarian, Chief Assistant Librarian, and other personal services, $940,485.

Librarian and personnel.

For the Register of Copyrights, assistant register, and other personal services, $251,900.

Register of Copyrights, etc.

LEGISLATIVE REFERENCE SERVICE

Legislative Reference Service.

Personnel.

To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, and for printing and binding the digests of public general bills, and including not to exceed $5,700 for employees engaged on piecework and work by the day or hour at rates to be fixed by the Librarian, $100,490.

Card indexes.

DISTRIBUTION OF CARD INDEXES

Distribution, etc.

For the distribution of card indexes and other publications of the Library, including personal services, freight charges (not exceeding $500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed $58,500 for employees engaged in piecework and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, $197,190, of which sum $15,000 shall be available immediately.

TEMPORARY SERVICES

Temporary services.

For special and temporary service, including extra special services of regular employees, at rates to be fixed by the Librarian, $3,000.

State legislation.

INDEX TO STATE LEGISLATION

Preparation of index and digest of.

To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (U. S. C., title 2, secs. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed $2,500 for special and temporary service at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, $39,700.

44 Stat. 1066.
2 U. S. C. §§ 164, 165.

Temporary service.

SUNDAY OPENING

Sunday, etc., opening, expenses.

To enable the Library of Congress to be kept open for reference use on Sundays and on holidays within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, at rates to be fixed by the Librarian, $17,000.

Union Catalogues.

UNION CATALOGUES

Development, maintenance, etc.

To continue the development and maintenance of the Union Catalogues, including personal services within and without the District of Columbia (and not to exceed $1,400 for special and temporary service, including extra special services of regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, $24,000.

Increase of the Library.

INCREASE OF THE LIBRARY

Purchase of books, etc.

For purchase of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, to continue available during the fiscal year 1939, $100,000.

For the purchase of books and for periodicals for the law library, including payment for legal society publications and for freight, commissions, and all other expenses incidental to the acquisition of law books, $70,000, to continue available during the fiscal year 1939. Law books, etc. Availability.

For the purchase of books and periodicals for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, $7,000. Reference books for Supreme Court.

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (U. S. C., title 2, sec. 135a), as amended, $175,000, including not exceeding $500 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian. Books for adult blind. 46 Stat 1487. 2 U. S. C. § 135a.

PRINTING AND BINDING

For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of library books, and for the Library Building, $250,000. Printing and binding.

For the publication of the Catalogue of Title Entries of the Copyright Office and the decisions of the United States courts involving copyright, $47,000. Catalogue of Title Entries.

For the printing of catalog cards, $150,000. Catalog cards.

CONTINGENT EXPENSES OF THE LIBRARY

For miscellaneous and contingent expenses, stationery, office supplies, stock, and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding $500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, $9,000. Contingent expenses. Attendance at meetings.

For paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, $5,000. Photoduplicating expenses.

LIBRARY BUILDING

Salaries: For the superintendent, disbursing officer, and other personal services, in accordance with the Classification Act of 1923, as amended, $167,800. Library Building. Salaries.

For extra services of employees and additional employees under the Librarian to provide for the opening of the Library Building on Sundays and on holidays, at rates to be fixed by the Librarian, $5,100. Sunday, etc., opening.

For special and temporary services in connection with the custody, care, and maintenance of the Library Building, including extra special services of regular employees at the discretion of the Librarian, at rates to be fixed by the Librarian, $500. Special and temporary services.

For mail, delivery, and telephone services, rubber boots, rubber coats, and other special clothing for workmen, uniforms for guards and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Building, $7,000. Incidentals, etc.

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $500. Trust Fund Board, expenses.

Government Printing Office.

GOVERNMENT PRINTING OFFICE

Printing and binding.

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government:

Public Printer, Deputy, etc.

For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including employees necessary to handle waste paper and condemned material for sale;

Leaves of absence, etc.

to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, said pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment, fuel, gas, heat, electric current, gas and electric fixtures;

Vehicles.

bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles, and the purchase or exchange of two such passenger vehicles (at a cost, including the allowance on any vehicle given in part payment therefor, of not to exceed $1,000 and $750, respectively), for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses; stationery, postage, and advertising; directories, technical books, newspapers and magazines, and books of reference (not exceeding $500); adding and numbering machines, time stamps, and other machines of similar character; rubber boots, coats, and

Machinery, etc.

gloves; machinery (not exceeding $300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding

Indexes, Congressional Record.

$1,000); for salaries and expenses of preparing the semimonthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at $3,480, one cataloguer at $3,180, two cataloguers at $2,460 each, and one cataloguer at $2,100); for the printing and distribution of the Federal Register

Federal Register.
49 Stat. 500.
44 U. S. C., Supp. II, §§ 301-314.

in accordance with the provisions of the Act approved July 26, 1935; and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, $3,800,000; to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations, the printing and distribution of the Federal Register (not exceeding $100,000), the printing and binding for use of the Government Printing Office, and printing and binding (not exceeding $2,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate, in all to an

Proviso.
Working capital, return of portion as unexpended balance.

amount not exceeding $2,800,000: *Provided*, That not less than $1,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than six months after the close of the fiscal year 1938.

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

Congressional work.

During the fiscal year 1938 any executive department or independent establishment of the Government ordering printing and binding from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office for the year in which the work is done, and be subject to requisition by the Public Printer.

Payment for work ordered by departments, etc.

Proviso. Adjustments of accounts.

Sums paid for work to be credited to working capital.

All amounts in the Budget for the fiscal year 1939 for printing and binding for any department or establishment, so far as the Bureau of the Budget may deem practicable, shall be incorporated in a single item for printing and binding for such department or establishment and be eliminated as a part of any estimate for any other purpose. And if any amounts for printing and binding, including the total cost of work produced on the multilith, multigraph, and other similar equipment, are included as a part of any estimates for any other purposes, such amounts shall be set forth in detail in a note immediately following the general estimate for printing and binding: *Provided*, That the foregoing requirements shall not apply to work to be executed at the Bureau of Engraving and Printing.

Estimates for departments, etc., to be incorporated in a single item.

Proviso. Engraving and Printing Bureau excepted.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

Restriction on paying detailed employees.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

Office of Superintendent of Documents.

For the Superintendent of Documents, assistant superintendent, and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees paid by the hour who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (U. S. C., title 44, sec. 40), $600,000: *Provided*, That for the purpose of conforming to section 3 of this Act this appropriation shall be considered a separate appropriation unit.

Superintendent and personnel.
5 U. S. C. §§ 661–674.
Pay rates.
43 Stat. 658.
44 U. S. C. § 40.
Proviso. Item a separate unit.

For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelopes, postage, car fares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone and telegraph service; traveling expenses (not to exceed $200); repairs to buildings, elevators, and machinery;

Contingent expenses.

preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, bibliographies, catalogues and indexes; for supplying books to depository libraries; in all, $215,000: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Superintendent of Documents.

Proviso. Supplying depository libraries, restriction.

Printing reports of departments.

In order to keep the expenditures for printing and binding for the fiscal year 1938 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

Proviso. Originals to be kept on file.

Purchases independent of Procurement Division, Treasury Department. 28 Stat. 601; 36 Stat. 531. 41 U. S. C. § 7.

Purchases may be made from the foregoing appropriation under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (U. S. C., title 41, sec. 7), concerning purchases for executive departments.

Private vehicle restriction.

SEC. 2. No part of the funds herein appropriated shall be used for the maintenance or care of private vehicles.

Average salaries in designated offices not to be exceeded 5 U. S. C. §§ 661–674.

SEC. 3. In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in the Botanic Garden, the Library of Congress, or the Government Printing Office, shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade, advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year, and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Proviso. Not applicable to clerical-mechanical service. 42 Stat. 1490. 5 U. S. C. § 666.

Transfers without reduction.

Higher salary rates allowed.

If only one position in a grade.

Short title.

SEC. 4. This Act may be cited as the Legislative Branch Appropriation Act, 1938.

Approved, May 18, 1937.

[CHAPTER 224]

JOINT RESOLUTION

May 18, 1937
[H. J. Res. 310]
[Pub. Res., No. 29]

Providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, California, in 1939, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the Golden Gate International Exposition to be held at San Francisco, California, in the year 1939, by the San Francisco Bay Exposition, or for use in constructing, installing, or maintaining foreign building, or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the San Francisco Bay Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for articles imported under the provisions of this Act, shall be reimbursed by the San Francisco Bay Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930.

Approved, May 18, 1937.

Golden Gate International Exposition.
Dutiable articles imported for exhibition, etc., purposes, admitted free under regulations.

Sales permitted.

Provisos.
Duty on articles withdrawn.

Deterioration allowance.

Marking provisions.

Abandonment permitted and duties remitted.

Articles previously entered and in continuous customs custody, etc., transfer privileges.

Exposition deemed sole consignee of merchandise.

Expenses reimbursable.

Deposit of receipts.
46 Stat. 741.
19 U. S. C. § 1524.

[CHAPTER 226]

AN ACT

May 18, 1937
[H. R. 4728]
[Public, No. 95]

To authorize cooperation in the development of farm forestry in the States and Territories, and for other purposes.

Cooperative Farm Forestry Act.
Federal cooperation in developing farm forestry in the States and Territories.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to aid agriculture, increase farm-forest income, conserve water resources, increase employment, and in other ways advance the general welfare and improve living conditions on farms through reforestation and afforestation in the various States and Territories, the Secretary of Agriculture is authorized in cooperation with the land-grant colleges and universities and State forestry agencies, each within its respective field of activities, according to the statutes, if any, of the respective States, wherever such agencies can and will cooperate, or in default of such cooperation to act directly, to produce or procure and distribute forest trees and shrub planting stock; to make necessary investigations; to advise farmers regarding the establishment, protection, and management of farm forests and forest and shrub plantations and the harvesting, utilization, and marketing of the products thereof; and to enter into cooperative agreements for the establishment, protection, and care of farm- or other forest-land tree and shrub plantings within such States and Territories; and, whenever suitable Government-owned lands are not available, to lease, purchase, or accept donations of land and develop nursery sites for the production of such forest planting stock as is needed to effectuate the purposes of this Act, but not including ornamental or other stock for landscape plantings commonly grown by established commercial nurserymen, and no stock grown in Government and cooperating nurseries shall be allowed to enter regular trade channels. No cooperative reforestation or afforestation shall be undertaken pursuant to this Act unless the cooperator makes available without charge the land to be planted. There is hereby authorized to be appropriated annually not to exceed $2,500,000 for carrying out the purposes of this Act. This Act shall be known as the Cooperative Farm Forestry Act.

Investigations and advice.

Cooperative agreements.

Nursery sites, etc.

Land to be planted to be made available without charge.

Annual appropriation authorized.

Title of Act.

Approved, May 18, 1937.

[CHAPTER 227]

AN ACT

May 19, 1937
[S. 150]
[Public, No. 96]

Amending section 2 of Public Law Numbered 716 of the Seventy-fourth Congress, being an Act entitled "An Act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes."

Indian lands.
49 Stat. 1542.
25 U. S. C., Supp. II, § 412a.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of Public Law Numbered 716 of the Seventy-fourth Congress, being an Act entitled "An Act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes", is hereby amended to read as follows:

Homesteads purchased from trust, etc., funds to be nontaxable.

SEC. 2. All homesteads, heretofore purchased out of the trust or restricted funds of individual Indians, are hereby declared to be instrumentalities of the Federal Government and shall be nontaxable until otherwise directed by Congress: *Provided*, That the title to such homesteads shall be held subject to restrictions against alienation or encumbrance except with the approval of the Secretary of the Interior: *And provided further*, That the Indian owner or owners shall select, with the approval of the Secretary of the Interior, either the agricultural and grazing lands, not exceeding a total of one hundred and sixty acres, or the village, town, or city property, not exceeding in cost $5,000, to be designated as a homestead.

Provisos.
Restrictions against alienation, etc.

Optional selection of lands.

Approved, May 19, 1937.

[CHAPTER 229]

AN ACT

May 20, 1937
[S. 595]
[Public, No. 97]

To amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Communications Act of 1934 is hereby amended by inserting after the words "for the purpose of the national defense" a comma and the words "for the purpose of promoting safety of life and property through the use of wire and radio communication".

Communications Act of 1934, amendments.
48 Stat. 1064.
47 U. S. C. § 151.
Purposes extended.

SEC. 2. Section 3 of the Communications Act of 1934 is hereby amended by adding at the end thereof five new subsections to read as follows:

48 Stat. 1065.
47 U. S. C. § 153.
Definitions.

"(w) (1) 'Ship' or 'vessel' includes every description of watercraft or other artificial contrivance, except aircraft, used or capable of being used as a means of transportation on water, whether or not it is actually afloat.

"Ship" or "vessel."

"(2) A ship shall be considered a passenger ship if it carries or is licensed or certificated to carry more than twelve passengers.

Passenger ship.

"(3) A cargo ship means any ship not a passenger ship.

Cargo ship.

"(4) A passenger is any person carried on board a ship or vessel except (1) the officers and crew actually employed to man and operate the ship, (2) persons employed to carry on the business of the ship, and (3) persons on board a ship when they are carried, either because of the obligation laid upon the master to carry shipwrecked, distressed, or other persons in like or similar situations or by reason of any circumstance over which neither the master, the owner, nor the charterer (if any) has control.

Passenger.

"(x) 'Auto-alarm' on a foreign ship means an automatic alarm receiver which has been approved by the country to which the ship belongs, provided the United States and the country to which the ship belongs are both parties to the same treaty, convention, or agreement prescribing the requirements for such apparatus. 'Auto-alarm' on a ship of the United States subject to the provisions of part II of title III of this Act means an automatic alarm receiver complying with law and approved by the Commission. Nothing in this Act or in any other provision of law shall be construed to require the recognition of an auto-alarm as complying with part II of title III of this Act, on a foreign ship subject to such part, whose country of origin is not a party to a treaty, convention, or agreement with the United States in regard to such apparatus.

"Auto-alarm", foreign ships.

Ships of the United States.
Post, p. 192.

Ships of country not a party to safety convention, etc.
Post, p. 192.

"(y) (1) For the purpose of part II of title III, a 'qualified operator' or 'operator' on a foreign ship means a person holding a certificate as such complying with the provisions of the General Radio Regulations annexed to the International Telecommunication Convention in force, or complying with an agreement or treaty between the United States and the country to which the ship belongs.

"Qualified operator" or "operator", foreign ships.

49 Stat. 2445.

"(2) For the purpose of part II of title III, a 'qualified operator' or 'operator' on a ship of the United States means a person holding a radio operator's license of the proper class, as prescribed and issued by the Commission.

Ships of the United States.

"(z) 'Harbor' or 'port' means any place to which ships may resort for shelter or to load or unload passengers or goods, or to obtain fuel, water, or supplies. This term shall apply to such places whether proclaimed public or not and whether natural or artificial.

"Harbor" or "port."

"Safety convention."
Post, p 1121.

"(aa) 'Safety convention' means the International Convention for the Safety of Life at Sea in force and the regulations referred to therein.

Annual reports to Congress.
48 Stat. 1068
47 U. S. C. § 154

"SEC. 3. Subsection (k) of section 4 of the Communications Act of 1934 is hereby amended by substituting a colon for the period at the end of the subsection and adding the following: '*Provided further*, That each year, at the beginning of the session of the Congress, the Commission shall report to the Congress whether or not any new wire or radio communication legislation is required better to insure safety of life and property. If any such new legislation is considered necessary the Commission shall make specific recommendations thereof to the Congress.'"

Recommendations.

SEC. 4. Section 4 of the Communications Act of 1934 is amended by adding at the end thereof a new subsection to read as follows:

Investigations and studies.

"(o) For the purpose of obtaining maximum effectiveness from the use of radio and wire communications in connection with safety of life and property, the Commission shall investigate and study all phases of the problem and the best methods of obtaining the cooperation and coordination of these systems."

General powers of Commission.
48 Stat. 1082.
47 U. S. C. § 303.

SEC. 5. Paragraph (m) of section 303 of the Communications Act of 1934 is hereby amended to read as follows:

Suspension of license of operator for designated acts.

"(m) (1) Have authority to suspend the license of any operator upon proof sufficient to satisfy the Commission that the licensee—

"(A) has violated any provision of any Act, treaty, or convention binding on the United States, which the Commission is authorized to administer, or any regulation made by the Commission under any such Act, treaty, or convention; or

"(B) has failed to carry out a lawful order of the master or person lawfully in charge of the ship or aircraft on which he is employed; or

"(C) has willfully damaged or permitted radio apparatus or installations to be damaged; or

"(D) has transmitted superfluous radio communications or signals or communications containing profane or obscene words, language, or meaning, or has knowingly transmitted—

"(1) false or deceptive signals or communications, or

"(2) a call signal or letter which has not been assigned by proper authority to the station he is operating; or

"(E) has willfully or maliciously interfered with any other radio communications or signals; or

"(F) has obtained or attempted to obtain, or has assisted another to obtain or attempt to obtain, an operator's license by fraudulent means.

Notice, stating cause, etc., to be given.

"(2) No order of suspension of any operator's license shall take effect until fifteen days' notice in writing thereof, stating the cause for the proposed suspension, has been given to the operator licensee who may make written application to the Commission at any time within said fifteen days for a hearing upon such order. The notice to the operator licensee shall not be effective until actually received by him, and from that time he shall have fifteen days in which to mail the said application. In the event that physical conditions prevent mailing of the application at the expiration of the fifteen-day period, the application shall then be mailed as soon as possible thereafter, accompanied by a satisfactory explanation of the delay. Upon receipt by the Commission of such application for hearing, said order of suspension shall be held in abeyance until the conclusion of the

Effective date.

Hearing.

hearing which shall be conducted under such rules as the Commission may prescribe. Upon the conclusion of said hearing the Commission may affirm, modify, or revoke said order of suspension."

SEC. 6. (a) Subsection (n) of section 303 of the Communications Act of 1934 is hereby amended to read as follows: 48 Stat. 1082.

"(n) Have authority to inspect all radio installations associated with stations required to be licensed by any Act or which are subject to the provisions of any Act, treaty, or convention binding on the United States, to ascertain whether in construction, installation, and operation they conform to the requirements of the rules and regulations of the Commission, the provisions of any Act, the terms of any treaty or convention binding on the United States, and the conditions of the license or other instrument of authorization under which they are constructed, installed, or operated." Inspection of installations.

(b) Section 303 of the Communications Act of 1934 is hereby further amended by adding at the end thereof a new subsection to read as follows:

"(r) Make such rules and regulations and prescribe such restrictions and conditions, not inconsistent with law, as may be necessary to carry out the provisions of this Act, or any international radio or wire communications treaty or convention, or regulations annexed thereto, including any treaty or convention insofar as it relates to the use of radio, to which the United States is or may hereafter become a party." Rules and regulations, etc.

SEC. 7. Section 321 (a) of the Communications Act of 1934 is hereby amended to read as follows: 48 Stat. 1090. 47 U. S. C. § 321.

"SEC. 321. (a) The transmitting set in a radio station on shipboard may be adjusted in such a manner as to produce a maximum of radiation, irrespective of the amount of interference which may thus be caused, when such station is sending radio communications or signals of distress and radio communications relating thereto." Communications or distress signals; transmission of.

SEC. 8. Section 322 of the Communications Act of 1934 is hereby amended to read as follows: 48 Stat. 1090. 47 U. S. C. § 322.

"SEC. 322. Every land station open to general public service between the coast and vessels or aircraft at sea shall, within the scope of its normal operations, be bound to exchange radio communications or signals with any ship or aircraft station at sea; and each station on shipboard or aircraft at sea shall, within the scope of its normal operations, be bound to exchange radio communications or signals with any other station on shipboard or aircraft at sea or with any land station open to general public service between the coast and vessels or aircraft at sea: *Provided*, That such exchange of radio communication shall be without distinction as to radio systems or instruments adopted by each station." Intercommunication in mobile service. *Proviso.* No distinction in exchanges.

SEC. 9. Section 329 of the Communications Act of 1934 is hereby amended to read as follows: 48 Stat. 1092. 47 U. S. C. § 329.

"SEC. 329. The Commission is authorized to designate any officer or employee of any other department of the Government on duty in any Territory or possession of the United States to render therein such service in connection with the administration of this Act as the Commission may prescribe and also to designate any officer or employee of any other department of the Government to render such services at any place within the United States in connection with the administration of title III of this Act as may be necessary: *Provided*, That such designation shall be approved by the head of the department in which such person is employed." Administrative assistance, etc. *Proviso.* Approval required.

Heading of title III modified
48 Stat. 1081.

SEC. 10. (a) The heading of title III of the Communications Act of 1934 is hereby amended to read as follows:

Title III—Provisions relating to radio.

"TITLE III—PROVISIONS RELATING TO RADIO

General provisions

"PART I—GENERAL PROVISIONS

48 Stat. 1092.

(b) Such title III is further amended by adding at the end thereof a new part as follows:

Equipment and operators.

"PART II—RADIO EQUIPMENT AND RADIO OPERATORS ON BOARD SHIP

"SHIP RADIO INSTALLATIONS AND OPERATIONS

Ship radio installations and operations.

"SEC. 351. (a) Except as provided in section 352 hereof, it shall be unlawful—

"(1) For any ship of the United States, other than a cargo ship of less than sixteen hundred gross tons, to be navigated in the open sea outside of a harbor or port, or for any ship of the United States or any foreign country, other than a cargo ship of less than sixteen hundred gross tons, to leave or attempt to leave any harbor or port of the United States for a voyage in the open sea, unless such ship is equipped with an efficient radio installation in operating condition, in charge of and operated by a qualified operator or operators, adequately installed and protected so as to insure proper operation, and so as not to endanger the ship and radio installation, as hereinafter provided, and in the case of a ship of the United States, unless there is on board a valid station license issued in accordance with this Act;

"(2) For any passenger ship of the United States of five thousand gross tons, or over, to be navigated outside of a harbor or port, in the open sea, or for any such ship of the United States or any foreign country to leave or attempt to leave any harbor or port of the United States for a voyage in the open sea, unless such ship is equipped with an efficient radio direction finder apparatus (radio compass) properly adjusted in operating condition as hereinafter provided, which apparatus is approved by the Commission;

"(b) A ship which is not subject to the provisions of this part at the time of its departure on a voyage shall not become subject to such provisions on account of any deviation from its intended voyage due to stress of weather or any other cause over which neither the master, the owner, nor the charterer (if any) has control.

"EXCEPTIONS

Exceptions.

"SEC. 352. (a) The provisions of this part shall not apply to—

"(1) A ship of war;

"(2) A ship of the United States belonging to and operated by the Government, except a ship of the United States Maritime Commission, the Inland and Coastwise Waterways Service, or the Panama Railroad Company;

"(3) A foreign ship belonging to a country which is a party to the Safety Convention and which ship carries a valid certificate exempting said ship from the radio provisions of that Convention, or which ship conforms to the radio requirements of such Convention or Regulations and has on board a valid certificate to that effect;

"(4) Yachts of less than six hundred gross tons not subject to the radio provisions of the Safety Convention;

"(5) Vessels in tow;

"(6) A vessel navigating solely on the Great Lakes, or on any bays, sounds, rivers, or protected waters within the jurisdiction of the United States, or to a vessel leaving or attempting to leave any harbor or port of the United States for a voyage solely on the Great Lakes, or on any bays, sounds, rivers, or protected waters within the jurisdiction of the United States.

"(b) The Commission may, if it considers that the route or the conditions of the voyage or other circumstances are such as to render a radio installation unreasonable or unnecessary for the purposes of this part, exempt from the provisions of this part any ship, or any class of ships, which falls within any of the following descriptions:

"(1) Passenger ships which in the course of their voyage do not go more than twenty nautical miles from the nearest land or or [1] more than two hundred nautical miles between two consecutive ports;

"(2) Cargo ships which in the course of their voyage do not go more than one hundred and fifty nautical miles from the nearest land;

"(3) Passenger vessels of less than one hundred gross tons not subject to the radio provisions of the Safety Convention;

"(4) Sailing ships.

"OPERATORS, WATCHES, AUTO-ALARM

Operators, watches, auto-alarm.

"SEC. 353. (a) Each cargo ship required by this part to be fitted with a radio installation and which is not fitted with an auto-alarm, and each passenger ship required by this part to be fitted with a radio installation, shall, for safety purposes, carry at least two qualified operators.

"(b) A cargo ship, required by this part to be fitted with a radio installation, which is fitted with an auto-alarm in accordance with this title, shall, for safety purposes, carry at least one qualified operator who shall have had at least six months' previous service in the aggregate as a qualified operator in a station on board a ship or ships of the United States.

Continuous watch required.

"(c) Each ship of the United States required by this part to be fitted with a radio installation shall, while being navigated outside a harbor or port, keep a continuous watch by means of qualified operators: *Provided, however*, That in lieu thereof on a cargo ship fitted with an auto-alarm in proper operating condition, a watch of at least eight hours per day, in the aggregate, shall be maintained by means of a qualified operator.

Proviso. Cargo ship watch.

"(d) The Commission shall, when it finds it necessary for safety purposes, have authority to prescribe the particular hours of watch on a ship of the United States required by this part to be fitted with a radio installation.

"(e) On all ships of the United States fitted with an auto-alarm, said apparatus shall be in operation at all times while the ship is being navigated outside of a harbor or port when the operator is not on watch.

"TECHNICAL REQUIREMENTS

Technical requirements. *Ante*, p. 192.

"SEC. 354. The radio installation and the radio direction-finding apparatus required by section 351 of this part shall comply with the following requirements:

Radio installation.

"(a) The radio installation shall comprise a main and an emergency or reserve installation: *Provided, however*, That on a cargo ship, if the main installation complies also with all the requirements of an emergency or reserve installation, the emergency or reserve installation may be omitted.

Proviso. Cargo ship installations.

[1] So in original.

Technical requirements—Continued.

"(b) The ship's radio operating room and the emergency or reserve installation shall be placed in the upper part of the ship in a position of the greatest possible safety and as high as practicable above the deepest load water line, and the location of such room or rooms shall be approved by the Bureau of Marine Inspection and Navigation, Department of Commerce.

"(c) The main and emergency or reserve installations shall be capable of transmitting and receiving on the frequencies and types of waves designated by the Commission pursuant to law for the purpose of distress and safety of navigation.

"(d) The main installation shall have a normal transmitting and receiving range of at least two hundred nautical miles, that is to say, it must be capable of transmitting and receiving clearly perceptible signals from ship to ship over a range of at least two hundred nautical miles by day under normal conditions and circumstances.

"(e) Sufficient power shall be available at all times to operate the main radio installation efficiently under normal conditions over the range specified in subsection (d) of this section.

"(f) The emergency or reserve installation shall include a source of energy independent of the propelling power of the ship and of any other electrical system and shall be capable of being put into operation rapidly and of working for at least six continuous hours. For the emergency or reserve installation, the normal range as defined in subsection (d) of this section shall be at least one hundred nautical miles.

"(g) There shall be provided between the bridge of the ship and the radio room, and between the bridge and the location of the direction finding apparatus, when the direction finding apparatus is not located on the bridge, an efficient means of communication independent of any other communication system of the ship.

"(h) The direction finding apparatus shall be efficient and capable of receiving clearly perceptible radio signals and of taking bearings from which the true bearing and direction may be determined. It shall be capable of receiving signals on the frequencies prescribed for distress, direction finding, and radio beacons by the General Radio Regulations annexed to the International Telecommunication Convention in force and in new installations after the effective date of this part, such other frequencies as the Commission may for safety purposes designate.

"LIFEBOATS

Lifeboats.

"SEC. 355. Every motor lifeboat, required to be equipped with radio by treaty or convention to which the United States is a party, by statute, or by regulation made in conformity with a treaty, convention, or statute, shall be fitted with an efficient radio installation under such rules and regulations as the Commission may find necessary to promote the safety of life.

"APPROVAL OF INSTALLATIONS

Approval of installations.

"SEC. 356. (a) Insofar as is necessary to carry out the purposes and requirements of this part, the Commission shall have authority, for any ship subject to this part—

"(1) To approve the details as to the location and manner of installations of the equipment required by this part or of equipment necessitated by reason of the purposes and requirements of this part.

"(2) To approve installations, apparatus, and spare parts necessary to comply with the purposes and requirements of this part.

"(3) To prescribe such additional equipment as may be determined to be necessary to supplement that specified herein, for the proper functioning of the radio installation installed in accordance with this part or for the proper conduct of radio communication in time of emergency or distress.

"TRANSMISSION OF INFORMATION

Transmission of information.

"SEC. 357. (a) The master of every ship of the United States equipped with radio transmitting apparatus, on meeting with dangerous ice, a dangerous derelict, a tropical storm, or any other direct danger to navigation, shall cause to be transmitted all pertinent information relating thereto, to ships in the vicinity and to the appropriate authorities, in accordance with rules and regulations issued by the Commission, which authorities of the United States shall, when they consider it necessary, promptly bring the information received by them to the knowledge of those concerned and foreign authorities interested.

"(b) No charge shall be made by any ship or station in the mobile service of the United States for the transmission, receipt, or relay of the information designated in subsection (a) originating on a ship of the United States or of a foreign country.

"(c) The transmission by any ship of the United States, made in compliance with subsection (a), to any station which imposes a charge for the reception, relay, or forwarding of the required information, shall be free of cost to the ship concerned and any communication charges incurred by the ship for transmission, relay, or forwarding of the information may be certified to the Commission for reimbursement out of moneys appropriated to the Commission for that purpose.

"(d) No charge shall be made by any ship or station in the mobile service of the United States for the transmission of distress messages and replies thereto in connection with situations involving the safety of life and property at sea.

"(e) Notwithstanding any other provision of law, any station or carrier may render free service in connection with situations involving the safety of life and property, including hydrographic reports, weather reports, reports regarding aids to navigation and medical assistance to injured or sick persons on ships and aircraft at sea. All free service permitted by this subsection shall be subject to such rules and regulations as the Commission may prescribe, which rules may limit such free service to the extent which the Commission finds desirable in the public interest.

"AUTHORITY OF MASTER

Authority of master.

"SEC. 358. The radio installation, the operators, the regulation of their watches, the transmission and receipt of messages, and the radio service of the ship except as they may be regulated by law or international agreement, or by rules and regulations made in pursuance thereof, shall in the case of a ship of the United States be under the supreme control of the master.

"CERTIFICATES

Certificates.

"SEC. 359. (a) Each vessel of the United States to which the safety convention applies shall comply with the radio and communication provisions of said convention at all times while the vessel is in use, in addition to all other requirements of law, and have on board an appropriate certificate as prescribed by the safety convention.

"(b) Appropriate certificates concerning the radio particulars provided for in said convention shall be issued to any vessel of the United States which is subject to the radio provisions of the safety convention and is found by the Commission to comply therewith. Such certificates shall be issued by the Department of Commerce, or whatever other agency is authorized by law so to do, upon request of the Commission made after proper inspection or determination of the facts. If the holder of such certificate violates the provisions of the safety convention, or of this Act, or the rules, regulations, or conditions prescribed by the Commission, and if the effective administration of the safety convention or of this part so requires, the Commission, after hearing in accordance with law, is authorized to request the modification or cancelation of such certificate. Upon receipt of such request the Department of Commerce, or whatever other agency is authorized by law to do so, shall modify or cancel the certificate in accord therewith. The Commission is authorized to issue, modify, or cancel such certificates in the event that no other agency is authorized to do so.

"INSPECTIONS

Inspections

"SEC. 360. (a) In addition to any other provisions required to be included in a radio station license, the station license of each ship of the United States subject to this title shall include particulars with reference to the items specifically required by this title.

"(b) Every ship of the United States, subject to this part, shall have the equipment and apparatus prescribed therein, inspected at least once each year by the Commission. If, after such inspection, the Commission is satisfied that all relevant provisions of this Act and the station license have been complied with, that fact shall be certified to on the station license by the Commission. The Commission shall make such additional inspections at frequent intervals as may be necessary to insure compliance with the requirements of this Act.

"CONTROL BY COMMISSION

Control by Commission.

"SEC. 361. Nothing in this title shall be interpreted as lessening in any degree the control of the Commission over all matters connected with the radio equipment and its operation on shipboard and its decision and determination in regard to the radio requirements, installations, or exemptions from prescribed radio requirements shall be final, subject only to review in accordance with law.

"FORFEITURES

Forfeitures.

"SEC. 362. The following forfeitures shall apply to this part, in addition to the penalties and forfeitures provided by title V of this Act:

"(a) Any ship that leaves or attempts to leave any harbor or port of the United States in violation of the provisions of this part, or the rules and regulations of the Commission made in pursuance thereof, or any ship of the United States that is navigated outside of any harbor or port in violation of any of the provisions of this part, or the rules and regulations of the Commission made in pursuance thereof, shall forfeit to the United States the sum of $500, recoverable by way of suit or libel. Each such departure or attempted departure, and in the case of a ship of the United States each day during which such navigation occurs shall constitute a separate offense.

"(b) Every willful failure on the part of the master of a ship of the United States to enforce or to comply with the provisions of this Act or the rules and regulations of the Commission as to equipment, operators, watches, or radio service shall cause him to forfeit to the United States the sum of $100."

Commission's orders; enforcement. 47 U. S. C. § 402.

SEC. 11. Paragraph (a) of section 402 of the Communications Act of 1934 is hereby amended by inserting after the words "or for modifications of an existing radio station license" a comma and the words "or suspending a radio operator's license".

Suspending radio operator's license excepted.

Appeals.

SEC. 12. Subsection (b) of section 402 of the Communications Act of 1934 is hereby amended by adding at the end thereof a new paragraph to read as follows:

"(3) By any radio operator whose license has been suspended by the Commission."

By suspended operator.

Filing of evidence.

SEC. 13. Paragraph (c) of section 402 of the Communications Act of 1934 is hereby amended by inserting after the words in the last sentence "upon the application" the words "or order".

48 Stat. 1101. 47 U. S. C. § 504.

SEC. 14. Section 504 of the Communications Act of 1934 is hereby amended to read as follows:

"PROVISIONS RELATING TO FORFEITURES

Provisions relating to forfeitures.

"SEC. 504. (a) The forfeitures provided for in this Act shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where the person or carrier has its principal operating office or in any district through which the line or system of the carrier runs: *Provided*, That in the case of forfeiture by a ship, said forfeiture may also be recoverable by way of libel in any district in which such ship shall arrive or depart. Such forfeitures shall be in addition to any other general or specific penalties herein provided. It shall be the duty of the various district attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of forfeitures under this Act. The costs and expenses of such prosecutions shall be paid from the appropriation for the expenses of the courts of the United States.

Proviso. Recovery.

Costs and expenses.

Remission, mitigation, etc.

"(b) The forfeitures imposed by title III, part II of this Act shall be subject to remission or mitigation by the Commission, upon application therefor, under such regulations and methods of ascertaining the facts as may seem to it advisable, and, if suit has been instituted, the Attorney General, upon request of the Commission, shall direct the discontinuance of any prosecution to recover such forfeitures: *Provided, however*, That no forfeiture shall be remitted or mitigated after determination by a court of competent jurisdiction."

Proviso. Restriction.

48 Stat. 1102. 47 U. S. C. § 602.

SEC. 15. Section 602 of the Communications Act of 1934 is hereby amended by adding at the end thereof a new subsection to read as follows:

Repeals and amendments. 36 Stat. 629. 46 U. S. C. §§ 484-487.

"(e) Such part or parts of the Act entitled "An Act to require apparatus and operators for radio communication on certain ocean steamers", approved June 24, 1910, as amended, as relate to the ocean and to steamers navigating thereon, are hereby repealed. In all other respects said Act shall continue in full force and effect. The Commission is requested and directed to make a special study of the radio requirements necessary or desirable for safety purposes for ships navigating the Great Lakes and the inland waters of the United States, and to report its recommendations, and the reasons therefor, to the Congress not later than December 31, 1939."

Special study of radio requirements, Great Lakes, etc. *Post*, p. 758.

Report to Congress.

Effective date of Act; exceptions.

SEC. 16. This Act shall take effect upon approval, provided that the Commission may defer the application of all or any part of sections 351 to 355, inclusive, for a period not to exceed six months after

approval, in regard to any ship or classes of ships of the United States which are not subject to the provisions of the safety convention, if it is found impracticable to obtain the necessary equipment or make the required installations.

Approved, May 20, 1937.

[CHAPTER 230]

AN ACT

May 20, 1937
[S. 2225]
[Public, No. 98]

Limiting the operation of sections 109 and 113 of the Criminal Code with respect to the agent appointed to represent the United States of America in the arbitration proceedings between the United States of America and the Dominion of Canada for the final settlement of difficulties arising through complaints of damage done in the State of Washington by fumes discharged from the smelter of the Consolidated Mining and Smelting Company, Trail, British Columbia.

Trail smelter arbitration.
Certain limitations of Penal Code waived with respect to U. S. agent.
35 Stat. 1107, 1109.
18 U. S. C. §§ 198, 203.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in sections 109 and 113 of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States", approved March 4, 1909, as amended (U. S. C., title 18, secs. 198 and 203), or any other Act of Congress, forbidding any person in the employ of the United States, or acting in any official capacity under them, from acting as agent or attorney for another before any department or branch of the Government, or from receiving pay for so acting, shall be deemed to apply to the agent representing the United States of America in the proceeding between the United States of America and the Dominion of Canada now pending before the arbitration tribunal created pursuant to the convention of April 15, 1935, between the United States of America and the Dominion of Canada while he shall remain such agent.

Approved, May 20, 1937.

[CHAPTER 231]

JOINT RESOLUTION

May 20, 1937
[S. J. Res. 133]
[Pub. Res., No. 30]

To authorize an appropriation for the expenses of participation by the United States in the Tenth Pan American Sanitary Conference.

Tenth Pan American Sanitary Conference.
Appropriation authorized for participation expenses.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, or so much thereof as may be necessary, for the expenses of participation by the United States in the Tenth Pan American Sanitary Conference to be held in 1938 at Bogota, Colombia, or at such time and place as may be determined hereafter, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses (and by indirect routes and by airplane if specifically authorized by the Secretary of State); purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; entertainment; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified.

5 U. S. C. §§ 661-674.
Contract services.
R. S. § 3709.
41 U. S. C. § 5.

Reimbursement of other appropriations.

Approved, May 20, 1937.

[CHAPTER 235]

AN ACT

Authorizing an appropriation for payment to the Government of Japan for proposed deportation of enemy aliens from China during the World War.

May 21, 1937
[S. 1607]
[Public, No. 99]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Government of the United States to reimburse the Government of Japan in the amount of yen 156,798.39 expended by it on behalf of the United States in pursuance of an understanding between the Governments of the United States, France, Great Britain, and Japan to share equally the expenses incident to an undertaking to deport enemy aliens from China to Australia during the World War, the sum of $48,000 together with such additional amount due to increases in rates of exchange as may be necessary to purchase this amount of yen.

Japan
Payment to, as share of expenses of deportation of enemy aliens from China during World War.

Sum authorized.
Post, p. 769.

Approved, May 21, 1937.

[CHAPTER 236]

JOINT RESOLUTION

Authorizing the payment of salaries of the officers and employees of Congress for December on the 20th day of that month each year.

May 21, 1937
[H. J. Res. 228]
[Pub. Res., No. 31]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Senate and the Clerk of the House of Representatives are authorized and directed to pay to the officers and employees of the Senate and House of Representatives, including the Capitol Police and Office of Legislative Counsel, and employees paid on vouchers under authority of resolutions, their respective salaries for the month of December on the 20th day of that month, each year, except when the 20th of the month falls on Sunday, in which case the said salaries shall be paid on the 19th of December.

Congressional employees, etc.
December salaries to be paid December 20 of each year; exception.

Approved, May 21, 1937.

[CHAPTER 237]

AN ACT

To provide that graduates of approved school ships may be rated as able seamen upon graduation, and for other purposes.

May 22, 1937
[S. 2084]
[Public, No. 100]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 13 of the Act entitled "An Act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea", approved March 4, 1915, as amended, is amended by striking out "after twelve months' service at sea after graduation" and inserting in lieu thereof "upon graduation in good standing from said school ships".

Merchant seamen.
Graduates of approved school ships rated as able seamen upon graduation.
38 Stat. 1169; 49 Stat. 1930.
46 U. S. C., Supp. II, § 672.

SEC. 2. Subsection (e) of such section 13, as amended, is amended by inserting before the period at the end thereof the following: "or proof that he is a graduate of a school ship approved by and conducted under rules prescribed by the Secretary of Commerce".

Engine department.
49 Stat. 1932.
46 U. S. C., Supp. II, § 672 (e).

Approved, May 22, 1937.

[CHAPTER 243]

AN ACT

May 24, 1937
[S. 1247]
[Public, No. 101]

To amend the Act of June 23, 1936, authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minnesota.

Fort Snelling Military Reservation, Minn.
Post cemetery not included in national cemetery.
49 Stat. 1888.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved June 23, 1936 (Public, Numbered 763, Seventy-fourth Congress), authorizing the Secretary of War to set apart as a national cemetery certain lands of the Fort Snelling Military Reservation, Minnesota, is hereby amended by striking out the words "which shall include the existing post cemetery", appearing in the fifth and sixth lines of said Act.

Approved, May 24, 1937.

[CHAPTER 244]

AN ACT

May 24, 1937
[S. 1330]
[Public, No. 102]

To authorize the attendance of the Marine Band at the United Confederate Veterans' 1937 Reunion at Jackson, Mississippi, June 9, 10, 11, and 12, 1937.

United Confederate Veterans' Reunion, Jackson, Miss.
Attendance of Marine Band authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the United Confederate Veterans' Reunion to be held at Jackson, Mississippi, on June 9, 10, 11, and 12, 1937.

Appropriation authorized.
Post, p. 250.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such reunion there is authorized to be appropriated the sum of $6,000, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $5 per day each for actual living expenses while on this duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Proviso.
Allowances.

Approved, May 24, 1937.

[CHAPTER 245]

AN ACT

May 24, 1937
[S. 1724]
[Public, No. 103]

To authorize the transfer to the Attorney General of a portion of the Fort Reno Quartermaster Depot Military Reservation, Oklahoma, as a permanent site of the United States Southwestern Reformatory.

Fort Reno Quartermaster Depot Military Reservation, Okla.
Portion transferred as permanent site of U. S. Southwestern Reformatory.
46 Stat. 388.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized and directed to transfer to the control and jurisdiction of the Attorney General, for use as a permanent site for the United States Southwestern Reformatory, established by virtue of the authority conferred by the Act approved May 27, 1930 (46 Stat. 388), all of that tract of land containing approximately one thousand acres, more or less, including all improvements thereon, now occupied and used by the United States Southwestern Reformatory under a permit dated the 20th day of April 1936, signed by Harry H. Woodring, The Assistant Secretary of War, being the southeast corner of the Fort Reno Quartermaster Depot Military Reservation, Oklahoma.

Approved, May 24, 1937.

[CHAPTER 246]

AN ACT

May 24, 1937
[S. 1904]
[Public, No. 104]

Declaring Park River, Hartford County, Connecticut, to be a nonnavigable waterway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Park River, a minor tributary of the Connecticut River, located in Hartford County, Connecticut, be, and the same is hereby, declared to be a nonnavigable waterway within the meaning of the Constitution and laws of the United States of America.

Park River.
Declared nonnavigable in Hartford County, Conn.

SEC. 2. That the right of Congress to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 24, 1937.

[CHAPTER 247]

AN ACT

May 24, 1937
[S. 2076]
[Public, No. 105]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Arrow Rock, Missouri, authorized to be built by the Saint Louis-Kansas City Short Line Railroad Company by the Act of Congress approved March 2, 1929, heretofore extended by Acts of Congress approved April 15, 1932, and August 30, 1935, are hereby further extended one and three years, respectively, from the date of approval hereof.

Missouri River.
Time extended for bridging, at Arrow Rock, Mo.
45 Stat. 1511; 47 Stat. 82; 49 Stat. 1070.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment

Approved, May 24, 1937.

[CHAPTER 248]

AN ACT

May 24, 1937
[S. 2077]
[Public, No. 106]

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Saint Charles, Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Missouri River, at or near Saint Charles, Missouri, authorized to be built by the Saint Louis-Kansas City Short Line Railroad Company by the Act of Congress approved March 2, 1929, heretofore extended by Acts of Congress approved April 15, 1932, and August 30, 1935, are hereby further extended one and three years, respectively, from the date of approval hereof.

Missouri River.
Time extended for bridging, at Saint Charles, Mo.
45 Stat. 1511; 47 Stat. 82; 49 Stat. 1070.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 24, 1937.

[CHAPTER 249]

AN ACT

May 24, 1937
[H. R. 3135]
[Public, No. 107]

For the exchange of land in Hudson Falls, New York, for the purpose of the post-office site.

Hudson Falls, N. Y. Exchange of land for post-office site authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to convey to the owner of the land abutting the easterly side of the post-office site at Hudson Falls, New York, the following-described piece or parcel of land forming a part of said post-office site:

Description.

Lying and being in the city of Hudson Falls, county of Washington, State of New York, and described as follows: Beginning at a point in the northerly side of Pearl Street distant eastwardly one hundred and forty-five feet from the intersection of the easterly side of Main Street with the northerly side of Pearl Street, said point being the southeast corner of the present post-office site; running thence along the northerly side of Pearl Street, south eighty-one degrees fifty-seven minutes west a distance of ten feet to a point; thence north five degrees forty-eight minutes west a distance of thirty-six and sixty-seven one-hundredths feet to a point in the westerly side of lands now or formerly of D. S. Griffin; thence along lands of said Griffin south twenty-one degrees twelve minutes east a distance of thirty-seven and sixty-two one-hundredths feet to the point or place of beginning;

in consideration of the conveyance to the United States of the following-described piece or parcel of land as an addition to the said post-office site:

Lying and being in the city of Hudson Falls, county of Washington, State of New York, and described as follows: Beginning at a point eighty-five feet north and one hundred and forty-five feet east of the intersection of the easterly side of Main Street with the northerly side of Pearl Street, said point being the northeast corner of the present post-office site; running thence north eighty-one degrees fifty-seven minutes east a distance of twelve and fifty-nine one-hundredths feet to a point; thence south five degrees forty-eight minutes east a distance of forty-six and eighteen one-hundredths feet to a point in the easterly side of the present post-office site; thence along the easterly side of said post-office site north twenty-one degrees twelve minutes west a distance of forty-seven and thirty-eight one-hundredths feet to the point or place of beginning.

Approved, May 24, 1937.

[CHAPTER 252]

JOINT RESOLUTION

May 25, 1937
[H. J. Res. 348]
[Pub. Res., No. 32]

Designating May 28, 1937, National Aviation Day.

National Aviation Day.
President authorized to issue proclamation designating May 28, 1937, as.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to designate May 28, 1937, as National Aviation Day, and to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on that day, and inviting the people of the United States to observe the day with appropriate exercises to further and stimulate interest in aviation in the United States.

Approved, May 25, 1937.

[CHAPTER 253]

AN ACT

May 25, 1937
[S. 210]
[Public, No. 108]

For the relief of soldiers who were discharged from the Army during the Spanish-American War, the Philippine Insurrection, and the Boxer Uprising because of minority or misrepresentation of age.

Army.
Soldiers discharged during Spanish-American War, etc., because of minority or age misrepresentation deemed honorably discharged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers of the United States Army, their widows and dependent children, a soldier who was enlisted between April 21, 1898, and July 4, 1902, both dates inclusive, and who was discharged for fraudulent enlistment on account of minority or misrepresentation of age, shall hereafter be held and considered to have been discharged honorably from the military service on the date of his actual separation therefrom, if his service otherwise was such as would have entitled him to an honorable discharge: *Provided*, That no back pay or allowance shall accrue by reason of the passage of this Act: *Provided further*, That in all such cases the War Department shall, upon request, grant to such men or their widows a discharge certificate showing that the soldiers are held and considered to have been honorably discharged under the provisions of this Act.

Provisos.
No back pay, etc.

Issuance of discharge certificate.

Approved, May 25, 1937.

[CHAPTER 254]

AN ACT

May 25, 1937
[S. 1212]
[Public, No. 109]

Authorizing the conveyance to the State of Virginia, for highway purposes only, of portions of the Fort Myer Military Reservation, Virginia, and for other purposes.

Virginia.
Conveyance of portion of Fort Myer Military Reservation to, for highway purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to convey to the State of Virginia, for highway purposes only, upon such terms and conditions as he may prescribe, all right, title, and interest of the United States of America in and to that portion of the Fort Myer Military Reservation, Arlington County, Virginia, and that section of the military road connecting the said reservation with Key Bridge, over which the State of Virginia was granted permission to extend a State highway known as the Lee Memorial Boulevard by instrument dated July 1, 1936: *Provided*, That the Secretary of War is authorized to make such deviations in the descriptions of the lands involved as may be necessary to carry out the purposes and intent of this Act.

Proviso.
Deviations in descriptions permitted.

SEC. 2. The Secretary of War is hereby further authorized, upon such terms and conditions as he may consider advisable, to sell or otherwise dispose of that portion of the Fort Myer Military Reservation comprising the northwest corner thereof, containing approximately two and two-tenths acres, which will be separated from the main body of said reservation by the conveyance to the State of Virginia of one of the parcels referred to in section 1 hereof.

Disposal of certain detached portion.

Approved, May 25, 1937.

[CHAPTER 255]

AN ACT

For the relief of the State of Maine.

May 25, 1937
[S. 1769]
[Public, No. 110]

Maine.
Release of accountability for certain Federal property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Maine is hereby relieved from accountability for certain property belonging to the United States, of the value of $175, which was loaned by the United States property and disbursing officer of the State of Maine, at the request of the municipal officers of the city of Ellsworth, Maine, for emergency relief work at the fire which destroyed a part of the city of Ellsworth, Maine, on May 8, 1933, such property having been unavoidably lost or destroyed in the course of such work, and listed as property shortages in the report of survey dated June 26, 1933.

Approved, May 25, 1937.

[CHAPTER 256]

AN ACT

To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936.

May 25, 1937
[S. 1943]
[Public, No. 111]

Flood Control Act of 1936, amendment.
49 Stat. 1572.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by changing the paragraph under the heading "Connecticut River Basin", to read as follows:

Connecticut River Valley reservoir system; plans modified.

"Reservoir system for the control of floods in the Connecticut River Valley: Construction of ten reservoirs on tributaries of the Connecticut River; plans in House Document Numbered 412, Seventy-fourth Congress, second session, as the same may be revised upon further investigation of the 1936 flood; estimated construction cost $10,028,900; estimated cost of lands and damages, $3,344,100."

Approved, May 25, 1937.

[CHAPTER 261]

AN ACT

To authorize the Director of the Census to collect and publish statistics of red-cedar shingles.

May 25, 1937
[S. 1124]
[Public, No. 112]

Red-cedar shingles.
Director of the Census to collect and publish statistics concerning.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Director of the Census be, and he is hereby, authorized and directed to collect and publish statistics concerning the number of squares of red-cedar shingles produced in shingle-manufacturing establishments in the United States; the shipments of red-cedar shingles by producers; the withdrawals from warehouses of red-cedar shingles which have been imported into the United States from Canada; and the imports of red-cedar shingles from Canada.

Imports from Canada.

Monthly statements to be made.

SEC. 2. That the statistics as to the number of squares of shingles as provided for herein shall relate to each calendar month and shall be published as soon as possible after the close of the month. All of these publications containing statistics of red-cedar shingles shall be mailed by the Director of the Census to all red-cedar-shingle producers and to all dealers in shingles in the United States who shall request the same, and to all daily newspapers throughout the

To be furnished producers, etc., on request, and to press.

United States. The Director of the Census shall furnish to the State Department, immediately after the publication of each report of that Bureau regarding red-cedar shingles, the complete available statistics hereinbefore mentioned.

Reports to State Department.

SEC. 3. That the information furnished by any individual establishment under the provisions of this Act shall be considered as strictly confidential and shall be used only for the statistical purpose for which it is supplied. Any employee of the Bureau of the Census who, without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this Act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than $300 or more than $1,000 or imprisoned for a period of not exceeding one year or both so fined and imprisoned, at the discretion of the court.

Use of information.

Penalty provision.

SEC. 4. That it shall be the duty of every owner, president, treasurer, secretary, director, or other officer or agent of any red-cedar-shingle-producing plant, manufacturing establishment, warehouse, or other place where red-cedar shingles are manufactured, dealt in, stored, or handled, whether conducted as a corporation, firm, limited partnership, or by individuals, when requested by the Director of the Census or by any special agent or other employee of the Bureau of the Census acting under the instructions of said Director, to furnish completely and correctly, to the best of his knowledge, all of the information concerning the number and grade of red-cedar shingles produced, shipped, sold, imported, consumed, handled, or held in storage, and the number of machines producing red-cedar shingles. The request of the Director of the Census for information concerning red-cedar shingles or machines producing red-cedar shingles may be made in writing or by a visiting representative and, if made in writing shall be forwarded by registered mail, and the registry receipt of the Post Office Department shall be accepted as evidence of such demand. Any owner, president, treasurer, secretary, director, or other officer or agent of a red-cedar-shingle-manufacturing establishment, warehouse, or other place where red-cedar shingles are produced, shipped, stored, sold, or dealt with in any manner whatsoever who, under the conditions hereinbefore stated, shall refuse or willfully neglect to furnish any of the information herein provided for or shall willfully give answers that are false shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than $300 or more than $1,000 or imprisoned for a period of not exceeding one year, or both so fined and imprisoned, at the discretion of the court.

Persons required to furnish information.

Written request as evidence of demand.

Penalty provision.

SEC. 5. There is hereby authorized to be appropriated, out of the Treasury of the United States, such amounts of money as may be necessary to carry out the provisions of this Act.

Appropriation authorized.

Approved, May 25, 1937.

[CHAPTER 262]

AN ACT

To provide for the establishment of a Coast Guard station on the coast of Georgia at or near Tybee Island.

May 25, 1937
[S. 1189]
[Public, No. 113]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station on the coast of Georgia, at or near Tybee Island, at such point as the Commandant of the Coast Guard may recommend.

Tybee Island, Ga. Establishment of Coast Guard station at, authorized.

Approved, May 25, 1937.

[CHAPTER 263]

AN ACT

May 25, 1937
[S. 1586]
[Public, No. 114]

To authorize the Secretary of War to sell to the General Motors Corporation a tract of land comprising part of Holabird Quartermaster Depot, Baltimore, Maryland.

Holabird Quartermaster Depot, Md.
Sale of part authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to sell in his discretion to General Motors Corporation, a Delaware corporation, upon such terms and conditions as he considers advisable, a tract of land containing approximately two and seven hundred thirty-four one-thousandths acres, comprising that part of the Holabird Quartermaster Depot, Baltimore, Maryland, lying south of the right-of-way of the Baltimore and Ohio Railroad Company and west of the Broening Highway, which tract is no longer needed for military purposes, and to execute and deliver in the name of the United States and in its behalf, any and all contracts, conveyances, or other instruments necessary to effectuate such sale; the proceeds of the sale of the property hereinbefore designated to be deposited in the Treasury to the credit of miscellaneous receipts: *Provided*, That the Secretary of War shall have the said tract appraised: *Provided further*, That the Secretary of War shall not sell the said tract of land for a less consideration than the appraised value thereof.

Provisos.
Appraisal.
Minimum sale price.

Approved, May 25, 1937.

[CHAPTER 264]

AN ACT

May 25, 1937
[H. R. 6910]
[Public, No. 115]

To provide for the exchange between the United States and The Union Terminal Company of certain properties in connection with the Parcel Post Building site at Dallas, Texas.

Dallas, Tex.
Exchange of certain lands in connection with Parcel Post Building site authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to convey by the usual quitclaim deed to The Union Terminal Company, a corporation organized and existing under the laws of the State of Texas, upon such terms and conditions as the Secretary of the Treasury may deem to be to the best interests of the United States, the following-described piece or parcel of land forming a part of the Dallas (Texas) Parcel Post Building site:

Parcel conveyed.

Beginning at the point of intersection of the easterly line of what was formerly Broadway Street with the center line of what was formerly Jackson Street; thence westerly with the center line of what was formerly Jackson Street forty feet to the center line of what was formerly Broadway Street; thence northerly with the center line of what was formerly Broadway Street one hundred and twenty feet to the point of intersection of the center line of what was formerly Broadway Street with a straight line extending from the point of intersection of the southerly line of Commerce Street with the westerly line of what was formerly Broadway Street to the point of intersection of the easterly line of what was formerly Broadway Street with the center line of what was formerly Jackson Street; thence in a southeasterly direction one hundred and twenty-six and forty-nine one-hundredths feet along said last-mentioned straight line to the place of beginning;

Land acquired.

in exchange for the following-described two parcels of land in the city of Dallas, Texas:

Beginning at the intersection of the westerly line of Houston Street with the center line of what was formerly Jackson Street; thence westerly along the center line of what was formerly Jackson Street

one hundred and twenty feet; thence southerly parallel with the westerly line of Houston Street twenty-eight feet; thence easterly parallel with the southerly line of what was formerly Jackson Street one hundred and twenty feet to the westerly line of Houston Street; thence northerly with the westerly line of Houston Street twenty-eight feet to the place of beginning; and

Beginning at the point of intersection of the center line of what was formerly Broadway Street with a straight line extending from the point of intersection of the southerly line of Commerce Street with the west line of what was formerly Broadway Street to the point of intersection of the east line of what was formerly Broadway Street, with the center line of what was formerly Jackson Street; thence in a northwesterly direction in a straight line one hundred and twenty-six and forty-nine one-hundredths feet to the point of intersection of the southerly line of Commerce Street with the westerly line of what was formerly Broadway Street; thence easterly with the southerly line of Commerce Street forty feet to the center line of what was formerly Broadway Street; thence southerly with the center line of what was formerly Broadway Street one hundred and twenty feet to the place of beginning;

when a valid title to the last-described two parcels of land has become vested in the United States and has been approved by the Attorney General.

Approved, May 25, 1937.

[CHAPTER 266]

AN ACT

May 26, 1937
[S. 1973]
[Public, No. 116]

To authorize the Secretary of War to transfer to the people of Puerto Rico certain real estate pertaining to the post of San Juan, San Juan, Puerto Rico, and for other purposes.

Puerto Rico.
Transfer of part of San Juan Military Reservation to, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to transfer to the people of Puerto Rico that portion of the San Juan Military Reservation known as the Service Company area containing approximately twenty-three thousand, seven hundred and fourteen and sixty-five one-hundredths square meters.

Acceptance of Manicomio property.

SEC. 2. The Secretary of War is hereby authorized to accept on behalf of the United States the Manicomio property, otherwise known as the old Insane Asylum, located in the city of San Juan, which property consists of approximately nine thousand, two hundred and forty-seven square meters.

Approved, May 26, 1937.

[CHAPTER 268]

JOINT RESOLUTION

May 27, 1937
[H. J. Res. 359]
[Pub. Res., No. 33]

Authorizing the President to proclaim the tercentenary of the birth of Pere Jacques Marquette.

Pere Jacques Marquette.
Preamble.

Whereas the 1st day of June 1937 marks the three-hundredth anniversary of the birth of Pere Jacques Marquette, the first white man to explore the upper Mississippi Valley; and

Whereas it is eminently fitting that the tercentenary of the birth of this zealous missionary and fearless explorer should be commemorated by suitable patriotic, religious, and public exercises during such year: Therefore be it

President requested to invite observance of tercentenary of birth.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation calling upon all officials of the Government to display the flag

of the United States on all Government buildings on June 1, 1937, and inviting all people of the United States to observe the day and the anniversary year in schools, churches, and other suitable places, with appropriate ceremonies commemorating the tercentenary of the birth of Pere Jacques Marquette.

Approved, May 27, 1937.

[CHAPTER 269]

AN ACT

May 27, 1937
[S. 2172]
[Public, No. 117]

To prevent speculation in lands in the Columbia Basin prospectively irrigable by reason of the construction of the Grand Coulee Dam project and to aid actual settlers in securing such lands at the fair appraised value thereof as arid land, and for other purposes.

Grand Coulee Dam project, Wash.
Construction expenditure conditional upon designated provisions.
49 Stat. 1039, 1784.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no part of the funds heretofore or hereafter appropriated or allotted for the construction of the Grand Coulee Dam project (authorized by section 2 of the Act of August 30, 1935, 49 Stat. 1028, 1039, entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors and for other purposes", and by the Act of June 22, 1936, 49 Stat. 1757, 1784, entitled "An Act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1937, and for other purposes") or for the reclamation of land in connection with said project shall be expended in the construction of any irrigation feature of said project, exclusive of Grand Coulee Dam and appurtenant works now under construction, until after the following provisions have been complied with:

Appraisal of lands before irrigation.

(a) The privately owned lands proposed to be irrigated under said project (including county lands and such State lands as the State may desire and be able to subscribe for irrigation under said project and to subject to the terms of this Act) shall have been impartially appraised in a manner and to the extent prescribed by the Secretary of the Interior for the determination of their value at the date of appraisal without reference to the proposed construction of the said irrigation works and without increment on account of the prospect of the construction of the said project.

Repayment contracts.

(b) A contract or contracts shall have been made with an irrigation or reclamation district or districts organized under State law providing for payment by the district or districts of that part of the cost of construction of the project allocated by the Secretary of the Interior as the part thereof properly chargeable to irrigation, the said cost of construction to be repaid within such term or terms of years as the Secretary shall find to be necessary, not to exceed the maximum term permitted under the Federal reclamation laws, the payments to be made in the manner and subject to the terms and conditions provided in the said reclamation laws and subject to enforcement by all of the means and remedies provided in the Reclamation Act of June 17, 1902 (32 Stat. 388), and Acts supplementary thereto or amendatory thereof: *Provided*, That every such contract with any district shall further require that all irrigable land held in private ownership by any one owner in excess of forty irrigable acres and all county and State lands which may be subscribed to or irrigated under the said project shall be designated as excess land and as such shall not be entitled to receive water from said project. The contract shall provide further that no owner of such excess lands in the said project shall receive water therefrom for any part of the

Terms and conditions.
32 Stat. 388.
43 U. S. C. §§ 391–404.

Provisos.
Excess land, exclusion from receiving water.

Refusal to sell excess lands; penalty.

lands owned by him if and so long as he shall refuse to sell any excess lands owned or held by him under terms and conditions satisfactory to the Secretary of the Interior and at prices fixed in the appraisals made and approved as hereinabove provided. The Secretary of the Interior may require each landowner, as a condition precedent to receiving water from the said irrigation works, to execute a valid recordable contract wherein he shall agree to dispose of excess holdings then or thereafter owned by him in the manner provided in this Act and in the contract between his district and the United States, and wherein the said landowner also shall confer upon the Secretary of the Interior an irrevocable power of attorney to make any such sale on his behalf. For the purpose of determining excess lands under the provisions of this Act husband and wife shall be considered separate persons and each may hold not to exceed forty irrigable acres as nonexcess lands or husband and wife together may hold eighty irrigable acres of community property as such nonexcess lands: *Provided further*, That as to any part of the irrigable lands of the said project for which the Secretary of the Interior shall determine that farm units of less than forty irrigable acres would be sufficient to support a family, he may approve and cause to be filed farm unit plats establishing farm units of less than forty acres but not less than ten acres and in that event all lands held in any one ownership in excess of one farm unit as shown on such plat shall be considered excess lands subject to the provisions of this Act applicable to excess lands: *Provided further*, That in addition to the foregoing provisions, every such contract with any district shall also provide, with respect to all irrigable lands whether initially excess or nonexcess, that whenever any land is sold at a price in excess of the sum of the appraised value of the arid land, the appraised value of improvements made thereon after the date of the original appraisal, and the amount of irrigation construction costs actually paid for that land, then, before the new owner shall be entitled to receive water from the project, a proportionate part of the said excess or incremented value shall be paid to the United States as follows: If such payment is made to the United States more than fifty months after such sale at an excessive price has been made, then as a prerequisite to the right to receive water all of the incremented value shall be paid to the United States to apply on construction installments to come due on such land in inverse order of their accrual; if payment is made in less than fifty months but more than forty-nine months after the date of such sale, then 99 per centum of such incremented value or excess of sale price shall be thus paid and applied; if payment is made in less than forty-nine but more than forty-eight months after the date of such sale, then 98 per centum of such incremented value or excess of sale price shall be thus paid and applied, and so on for earlier payment allowing an additional reduction of 1 per centum for each month, so that in the event that such payment is made to the United States within one month after the date of such sale, then the percentage of the incremented value required to be paid to the United States for application to construction costs as a prerequisite to the right to receive water shall be 50 per centum thereof: *Provided further*, That each district contract may include a provision which, subject to authorization and validation thereof by the State of Washington, shall require that all irrigable lands which are allowed by the owners thereof without objection to remain in such district until after the judicial confirmation of the organization of the district and of the

Disposal of excess holdings a condition precedent to receiving water.

Size of farm units.

Sale above appraised value.

Payment to United States; application to construction installments.

Scope extended.

regularity and validity of said contract and the proceedings authorizing it shall be considered as automatically subjected to the provisions of the excess land clauses and incremented value clauses hereinbefore provided for, such obligation to be impressed on the title to the land and to be considered equivalent to a covenant running with the land. The said provision, however, shall not apply to any landowner who, prior to the entry of the judicial decree of confirmation, shall file with the district and duly record as an instrument affecting title to his land, a notice of his objection to the said obligation and of his renunciation of the right of the said land to receive water through, from, or by means of any works constructed by the United States in connection with such project: *And provided further*, That the foregoing four provisos shall not apply to any lands in the State of Washington which have already been developed and are now being cultivated with the aid of water from sources other than the said Grand Coulee project and for which additional water may be desired.

Filing objections.

Renunciation of water rights.

Lands excepted.

(c) The State of Washington by appropriate legislation shall have authorized, adopted, ratified, and consented to all the provisions of this Act insofar as such provisions or any of them, in whole or in part, may come within the scope of State jurisdiction or authority or be applicable to State lands.

Ratification, etc., by State of Washington.

SEC. 2. The Secretary of the Interior is authorized to use not to exceed $350,000 of the funds hereafter appropriated or allotted for the fiscal year 1938 for the said project for the purpose of the survey, investigation, and appraisal of the irrigable lands of the said project and for surveys, investigations, plans, and designs for the irrigation works therefor.

Use of portion of allotted funds for surveys, etc.
Post, p. 597.

SEC. 3. The Secretary of the Interior is authorized to make such rules and regulations and to include in the contracts hereinbefore provided for such provisions as may be appropriate and useful for the purpose of carrying out the purpose and provisions of this Act.

Rules and regulations.

SEC. 4. The consent of the United States is hereby given to the sale of school lands and any other public lands of the State of Washington which may be included in any irrigation or reclamation project to which this Act is or may be applicable at prices not to exceed the appraised valuation thereof determined as herein provided.

Sale of school, etc., lands.

Approved, May 27, 1937.

[CHAPTER 270]

May 27, 1937
[H. R. 5171]
[Public, No. 118]

AN ACT

To reimpose a trust on certain lands allotted on the Yakima Indian Reservation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period of trust on lands allotted to Indians of the Yakima Reservation, Washington, upon which the trust period expired December 17, 1928, or at any other time prior to the approval of this Act, and upon which lands patents in fee have not been issued, is hereby reimposed and extended to July 9, 1942: *Provided*, That further extension of the period of trust may be made by the President, in his discretion, as provided by section 5 of the Act of February 8, 1887 (24 Stat. L. 388), and the Act of June 21, 1906 (34 Stat. L. 326).

Yakima Indian Reservation, Wash.
Extension of period of trust on allotted lands.

Proviso.
Further extension permitted.
24 Stat. 389; 34 Stat. 326.

Approved, May 27, 1937.

[CHAPTER 273]

AN ACT

May 28, 1937
[H. R. 148]
[Public, No. 119]

To repeal a proviso relating to teaching or advocating communism in the public schools of the District of Columbia, and appearing in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso appearing in the fourteenth paragraph under the subheading "Miscellaneous" under the heading "Public Schools" in the District of Columbia Appropriation Act for the fiscal year ending June 30, 1936, approved June 14, 1935 (49 Stat. 356), and reading as follows: "*Provided*, That hereafter no part of any appropriation for the public schools shall be available for the payment of the salary of any person teaching or advocating communism", is hereby repealed: *Provided, however*, That nothing herein shall be construed as permitting the advocating of communism.

District of Columbia public schools.
Proviso in existing law relating to teaching, etc., communism repealed.
49 Stat. 356.

Proviso.
Permission to advocate not given.

Approved, May 28, 1937.

[CHAPTER 274]

AN ACT

May 28, 1937
[H. R. 5416]
[Public, No. 120]

To amend the Act entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935, is amended by inserting before the words "said act" where they first occur in the proviso at the end of section 2 the following: "amendment of".

Hawaii, bond issues.
Legislature may alter list of authorized improvements.
49 Stat. 517.

Approved, May 28, 1937.

[CHAPTER 275]

JOINT RESOLUTION

May 28, 1937
[H. J. Res. 251]
[Pub. Res., No. 34]

To extend the lending authority of the Disaster Loan Corporation to apply to flood disasters in the year 1936.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for loans made necessary by floods or other catastrophes of the year 1937", approved February 11, 1937, is hereby amended as follows:

Disaster Loan Corporation.
Lending authority extended.
Ante, p. 19.

By striking out of the second paragraph thereof "year 1937" and inserting in lieu thereof "years 1936 or 1937".

Approved, May 28, 1937.

[CHAPTER 276]

JOINT RESOLUTION

May 28, 1937
[H. J. Res. 292]
[Pub. Res., No. 35]

To protect the copyrights and patents of foreign exhibitors at the Golden Gate International Exposition, to be held at San Francisco, California, in 1939.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Librarian of Congress and the Commissioner of Patents are hereby authorized and directed to establish branch offices under the direction of the Register of Copyrights and the Commissioner of Patents, respectively, in suitable quarters on the grounds of the Golden Gate International Exposition, to be held at San Francisco, California, under the direction of the San Francisco Bay Exposition, a California corporation, said

Golden Gate International Exposition.
Protection of copyrights and patents of foreign exhibitors.
Branch copyright, etc., offices at Exposition.

quarters to be furnished free of charge by said corporation, said offices to be established at such time as may, upon sixty days' advance notice, in writing, to the Register of Copyrights and the Commissioner of Patents, respectively, be requested by said San Francisco Bay Exposition, but not earlier than January 1, 1939, and to be maintained until the close to the general public of said exposition; and the proprietor of any foreign copyright, or any certificate of trade-mark registration, or letters patent of invention, design, or utility model issued by any foreign government protecting any trade mark, apparatus, device, machine, process, method, composition of matter, design, or manufactured article imported for exhibition and exhibited at said exposition may upon presentation of proof of such proprietorship, satisfactory to the Register of Copyrights or the Commissioner of Patents, as the case may be, obtain without charge and without prior examination as to novelty, a certificate from such branch office, which shall be prima facie evidence in the Federal courts of such proprietorship, the novelty of the subject matter covered by any such certificate to be determined by a Federal court in case an action or suit is brought based thereon; and said branch offices shall keep registers of all such certificates issued by them, which shall be open to public inspection.

Certificates of proprietorship to be issued.

Registers to be kept.

Deposit at close of exposition.

At the close of said Golden Gate International Exposition the register of certificates of the copyright registrations aforesaid shall be deposited in the Copyright Office in the Library of Congress at Washington, District of Columbia, and the register of all other certificates of registration aforesaid shall be deposited in the United States Patent Office at Washington, District of Columbia, and there preserved for future reference. Certified copies of any such certificates shall, upon request, be furnished by the Register of Copyrights or the Commissioner of Patents, as the case may be, either during or after said exposition, and at the rates charged by such officials for certified copies of other matter; and any such certified copies shall be admissible in evidence in lieu of the original certificates in any Federal court.

Certified copies of certificates.

Infringement of rights protected, unlawful.

SEC. 2. It shall be unlawful for any person without authority of the proprietor thereof to copy, republish, imitate, reproduce, or practice at any time during the period specified in section 6 hereof any subject matter protected by registration as aforesaid at either of the branch offices at said exposition which shall be imported for exhibition at said exposition, and there exhibited and which is substantially different in a copyright, trade-mark, or patent sense, as the case may be, from anything publicly used, described in a printed publication or otherwise known in the United States of America prior to such registration at either of said branch offices as aforesaid; and any person who shall infringe upon the rights thus protected under this Act shall be liable—

Liabilities.

Injunction.

(a) To an injunction restraining such infringement issued by any Federal court having jurisdiction of the defendant;

Pecuniary damages.

(b) To pay to the proprietor such damages as the proprietor may have suffered due to such infringement, as well as all the profits which the infringer may have made by reason of such infringement, and in proving profits the plaintiff shall be required to prove sales only and the defendant shall be required to prove every element of cost which he claims, or in lieu of actual damages and profits such damages as to the court shall appear to be just;

Delivery of articles that infringe.

(c) To deliver upon an oath, to be impounded during the pendency of the Act, upon such terms and conditions as the court may prescribe, all articles found by the court after a preliminary hearing to infringe the rights herein protected; and

(d) To deliver upon an oath, for destruction, all articles found by the court at final hearing to infringe the rights herein protected. Destruction of.

SEC. 3. Any person who willfully and for profit shall infringe any right protected under this Act, or who shall knowingly and willfully aid or abet such infringement, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not exceeding one year or by a fine of not less than $100 nor more than $1,000, or both, in the discretion of the court. Infringement, penalty for.

SEC. 4. All the Acts, regulations, and provisions which apply to protecting copyrights, trade marks, designs, and patents for inventions or discoveries not inconsistent with the provisions of this Act shall apply to certificates issued pursuant to this Act, but no notice of copyright on the work shall be required for protection hereunder. Terms of protection.

SEC. 5. Nothing contained in this Act shall bar or prevent the proprietor of the subject matter covered by any certificate issued pursuant to this Act from obtaining protection for such subject matter under the provisions of the copyright, trade mark, or patent laws of the United States of America, as the case may be in force prior hereto, and upon making application and complying with the provisions prescribed by such laws; and nothing contained in this Act shall prevent, lessen, impeach, or avoid any remedy at law or inequity [1] under any certificate of copyright registration, certificate of trademark registration, or letters patent for inventions or discoveries or designs issued under the copyright, trade mark, or patent laws of the United States of America, as the case may be in force prior hereto, and which any owner thereof and of a certificate issued thereon pursuant to this Act might have had if this Act had not been passed, but such owner shall not twice recover the damages he has sustained or the profit made by reason of any infringement thereof. Copyright, etc., actions.

SEC. 6. The rights protected under the provisions of this Act as to any copyright, trade mark, apparatus, device, machine, process, method, composition of matter, design, or manufactured article imported for exhibition at said Golden Gate International Exposition shall begin on the date the same is placed on exhibition at said exposition and shall continue for a period of six months from the date of the closing to the general public of said exposition. Duration of protection.

SEC. 7. All necessary expenses incurred by the United States in carrying out the provisions of this Act shall be reimbursed to the Government of the United States by the San Francisco Bay Exposition, under regulations to be prescribed by the Librarian of Congress and the Commissioner of Patents, respectively; and receipts from such reimbursements shall be deposited as refunds to the appropriations from which such expenses were paid. Reimbursement of incurred expenses.

Approved, May 28, 1937.

[CHAPTER 277]

AN ACT

May 28, 1937
[H. R. 6730]
[Public, No. 121]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1937, and June 30, 1938, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations Second Deficiency Appropriation Act, fiscal year 1937.

[1] So in original.

for the fiscal year ending June 30, 1937, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1937, and June 30, 1938, and for other purposes, namely:

General appropriations.
Legislative.

TITLE I—GENERAL APPROPRIATIONS
LEGISLATIVE ESTABLISHMENT

SENATE

Senate.

Secretary's office, laborer.

For the employment of a laborer in the office of the Secretary of the Senate during the fiscal year 1938, $1,260.

Folding speeches, etc.

For folding speeches and pamphlets at a rate not exceeding $1 per thousand, fiscal year 1937, $5,000.

Inquiries and investigations.
Balance reappropriated.
49 Stat. 1217.

The unobligated balance of the appropriation for expenses of inquiries and investigations ordered by the Senate, contingent fund of the Senate, for the fiscal year 1937, is reappropriated and made available for the fiscal year 1938.

Miscellaneous items.
Balances reappropriated
49 Stat. 463, 1218.

The unobligated balances of the appropriations for miscellaneous items, exclusive of labor, contingent fund of the Senate, for the fiscal years 1936 and 1937, are reappropriated and made available for the fiscal year 1938.

HOUSE OF REPRESENTATIVES

House of Representatives.

James P. Buchanan.
Pay to widow.

For payment to the widow of James P. Buchanan, late a Representative from the State of Texas, $10,000.

Benjamin K. Focht.
Pay to widow.

For payment to the widow of Benjamin K. Focht, late a Representative from the State of Pennsylvania, $10,000.

Henry E. Stubbs.
Pay to widow.

For payment to the widow of Henry E. Stubbs, late a Representative from the State of California, $10,000.

The three foregoing sums to be disbursed by the Sergeant at Arms of the House.

UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

United States Constitution Sesquicentennial Commission.
Expenses.
49 Stat. 1599.

The appropriation for the United States Constitution Sesquicentennial Commission, contained in the First Deficiency Appropriation Act, fiscal year 1936, shall be available, in addition to the objects of expenditure for which available under existing law, for rent in the District of Columbia, individual photographs, books, periodicals, official cards, newspapers, newspaper clippings, purchase, maintenance, repair, and operation of a motor-propelled passenger-carrying vehicle, notarial seals, per-diem allowances in lieu of actual expenses of subsistence within and outside the District of Columbia, and including payment of obligations for the foregoing purposes heretofore incurred in connection with the work of such Commission.

OFFICE OF THE ARCHITECT OF THE CAPITOL

Office of the Architect of the Capitol.

Capitol Grounds, care, improvement, etc.
Balance continued available.
49 Stat. 1224.

Capitol Grounds: The unexpended balance on June 30, 1937, of the allocation of $25,000 made immediately available under the appropriation for the Capitol Grounds, contained in the Legislative Branch Appropriation Act, 1937, is hereby continued available for the same purposes until June 30, 1938.

LIBRARY OF CONGRESS

Library of Congress.

Legislative reference.
Printing Digest of Public General Bills.

Legislative reference: For printing the Digest of Public General Bills for the first session of the Seventy-fifth Congress, prepared in the legislative reference service, fiscal year 1937, $7,500.

Books for adult blind: For an additional sum required to enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (U. S. C., title 2, sec. 135a), as amended, fiscal year 1938, $100,000: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Books for adult blind.

46 Stat. 1487.
2 U. S. C., Supp. II, § 135a.

Proviso.
Report of expenditures.

EXECUTIVE INDEPENDENT OFFICES

Executive Independent Offices.

FEDERAL COMMUNICATIONS COMMISSION

Federal Communications Commission.

Salaries and expenses: For an additional amount for salaries and expenses of the Federal Communications Commission, fiscal year 1937, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, $60,000.

Salaries and expenses.

49 Stat. 1171.

GREAT LAKES EXPOSITION

Great Lakes Exposition.

For the expenses of the participation of the Government of the United States in the Great Lakes Exposition as provided for by Public Resolution Numbered 23, approved April 12, 1937, $100,000, together with the unexpended balance of the appropriation for the Great Lakes Exposition contained in the Act making appropriations for the Departments of State and Justice, and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1937, to remain available until June 30, 1938.

Participation expenses.
Ante, p. 61.
Balance reappropriated.
49 Stat. 1352.

INTERSTATE COMMERCE COMMISSION

Interstate Commerce Commission.

General administrative expenses: For an additional amount for eleven Commissioners, secretary, and for all other authorized expenditures necessary in the execution of laws to regulate commerce, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, fiscal year 1937, $95,000: *Provided*, That the reappropriation under this head in the Independent Offices Appropriation Act, 1937, making available for the fiscal year 1937, $118,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, is hereby repealed.

General administrative expenses.

Proviso.
Reappropriation repealed.
49 Stat. 1173.

Regulating accounts: For an additional amount to enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the Interstate Commerce Act as amended by the Act approved June 29, 1906 (U. S. C., title 49, sec. 20), and as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 20), including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, fiscal year 1937, $5,000: *Provided*, That the reappropriation under this head in the Independent Offices Appropriation Act, 1937, making available for the fiscal year 1937, $5,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, is hereby repealed.

Enforcing accounting by railroads.

34 Stat. 593; 41 Stat. 493.
49 U. S. C. § 20.
49 Stat. 1174.

Proviso.
Reappropriation repealed.

Signal safety systems: For an additional amount for all authorized expenditures under section 26 of the Interstate Commerce Act as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 26), with respect to the provision thereof under which carriers by railroad subject to the Act may be required to install automatic train-stop or train-control devices which comply with specifications and requirements prescribed by the Commission, including investigations and tests pertaining to block signal and train-control systems, as author-

Signal safety systems.
41 Stat. 498.
49 U. S. C. § 26.

Automatic train-control devices.

34 Stat. 838.
45 U. S. C. § 35.

ized by the joint resolution approved June 30, 1906 (U. S. C., title 45, sec. 35), and including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, fiscal year 1937, $2,000: *Provided*, That the reappropriation under this head in the Independent Offices Appropriation Act, 1937, making available for the fiscal year 1937, $2,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, is hereby repealed.

49 Stat. 1174.

Proviso.
Reappropriation repealed.
48 Stat. 515.

Locomotive inspection.

Locomotive inspection: For an additional amount for all authorized expenditures under the provisions of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto" (U. S. C., title 45, sec. 22), as amended, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, fiscal year 1937, $16,000: *Provided*, That the reappropriation under this head in the Independent Offices Appropriation Act, 1937, making available for the fiscal year 1937, $16,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, is hereby repealed.

36 Stat. 914
45 U. S. C. § 22.

49 Stat. 1174.

Proviso.
Reappropriation repealed.
48 Stat. 515.

Valuation of property of carriers.

Valuation of property of carriers: For an additional amount to enable the Interstate Commerce Commission to carry out the objects of the Act entitled "An Act to amend an Act entitled 'An Act to regulate commerce', approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities", approved March 1, 1913, as amended, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, fiscal year 1937, $2,000: *Provided*, That the reappropriation under this head in the Independent Offices Appropriation Act, 1937, making available for the fiscal year 1937, $2,000 of the unexpended balance of the appropriation for this purpose for the fiscal year 1935, is hereby repealed.

37 Stat. 701.
49 U. S. C. § 19a

49 Stat. 1175.

Proviso.
Reappropriation repealed.
49 Stat. 1175.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

National Advisory Committee for Aeronautics.
Construction, equipment, and research expenses.

Construction, equipment, and research: For an additional amount for scientific research, technical investigations, and special reports in the field of aeronautics, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, $453,000, to continue available until June 30, 1938, of which amount, $353,000 shall be available only for the construction and equipment of facilities and for the purchase of an airplane of the light metal private type for experimental purposes: *Provided*, That the unexpended balance of the appropriation of $1,367,000 for scientific research, special investigations, and technical reports, in the field of aeronautics, contained in the First Deficiency Appropriation Act, fiscal year 1936, is hereby continued available until June 30, 1938, for the same purposes.

49 Stat. 1176.

Airplane for experimental purposes.

Proviso.
Balance of appropriation continued available.
49 Stat. 1602.

NATIONAL MEDIATION BOARD

National Mediation Board.

National Railroad Adjustment Board.
Amount transferred for printing and binding.
49 Stat. 1177.

National Railroad Adjustment Board: Not to exceed $8,000 of the amount made available only for services of referees under the appropriation for salaries and expenses, National Railroad Adjustment Board, National Mediation Board, fiscal year 1937, may be transferred to the appropriation for printing and binding, National Railroad Adjustment Board, National Mediation Board, fiscal year 1937.

TENNESSEE VALLEY AUTHORITY

Tennessee Valley Authority.

For the purpose of carrying out the provisions of the Act entitled "The Tennessee Valley Authority Act of 1933", approved May 18, 1933 (U. S. C., title 16, ch. 12a), as amended by the Act approved August 31, 1935 (49 Stat., 1075–1081), including the continued construction of Pickwick Landing Dam, Guntersville Dam, Chickamauga Dam, and Hiwassee Dam, and for construction of a dam at or near Gilbertsville, Kentucky, and for preliminary investigations of sites for dams at or near Watts Bar and at or near Coulter's Site on the Tennessee River, Tennessee, and the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction or purchase of transmission lines and other facilities, and all other necessary works authorized by such Acts, and for printing and binding, law books, books of reference, newspapers, periodicals, purchase, maintenance, and operation of passenger-carrying vehicles, rents in the District of Columbia and elsewhere, and all necessary salaries and expenses connected with the organization, operation, and investigations of the Tennessee Valley Authority, and for examination of estimates of appropriations and activities in the field, fiscal year 1938, $40,166,270: *Provided*, That this appropriation and any unexpended balance on June 30, 1937, in the "Tennessee Valley Authority fund, 1937", and the receipts of the Tennessee Valley Authority from all sources during the fiscal year 1938 (except as limited by section 26 of the Tennessee Valley Authority Act of 1933, as amended), shall be covered into and accounted for as one fund to be known as the "Tennessee Valley Authority fund, 1938", to remain available until June 30, 1938, and to be available for the payment of obligations chargeable against the "Tennessee Valley Authority fund, 1937": *Provided further*, That in addition to the amount herein appropriated, the Tennessee Valley Authority is hereby authorized to incur obligations and enter into contracts for the procurement of equipment to be installed in dams and power-houses in an amount not in excess of $4,000,000, and this action shall be deemed a contractual obligation of the Tennessee Valley Authority and the United States for payment of the cost thereof.

Continuation of construction.
48 Stat. 58; 49 Stat. 1075.
16 U. S. C., ch. 12a; 16 U. S. C., Supp. II, ch. 12a.
Designated dams.
Post, p. 759.

Preliminary investigations.

Printing and binding.

Salaries and expenses.

Provisos.
Accounting, etc.

48 Stat. 71.

Availability.

Procurement of equipment.
Contracts.

DISTRICT OF COLUMBIA

District of Columbia.

CONTINGENT AND MISCELLANEOUS EXPENSES

Contingent, etc., expenses.

Judicial expenses: For an additional amount for judicial expenses, including the same objects and under the same conditions and limitations applicable to the appropriation for this purpose in the District of Columbia Appropriation Act for the fiscal year 1936, $359.21.

Judicial expenses.

49 Stat. 346.

General advertising: For an additional amount for general advertising, including the same objects and under the same conditions and limitations applicable to the appropriation for this purpose in the District of Columbia Appropriation Act for the fiscal year 1936, $3,311.21.

General advertising.

49 Stat. 346.

PUBLIC SCHOOLS

Public schools.

Buildings and grounds: For buildings and grounds, public schools District of Columbia, in addition to the amounts for this purpose contained in the District of Columbia Appropriation Act for the fiscal year 1937, and subject to the applicable conditions and limitations therein set forth, as follows: Lafayette School, $33,000; Truesdell School, $22,500; Grimke School, $35,000; Paul Junior High School, $33,000; and Eastern High School, $26,500; in all, $150,000.

Buildings and grounds.
49 Stat. 1869.

Courts.

COURTS

Supreme Court. Jurors and witnesses.

Supreme Court, District of Columbia: For an additional amount for fees of jurors and witnesses, Supreme Court, District of Columbia, including the same objects specified under this head in the District of Columbia Appropriation Acts for the following fiscal years:

48 Stat. 866.
1935, $207.70;

49 Stat. 361.
1936, $1,193.78;

49 Stat. 1875.
1937, $17,000.

Support of convicts out of the District.

Support of convicts: For an additional amount for support, maintenance, and transportation of convicts transferred from District of Columbia, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1936, $11,509.63.

49 Stat. 362.

Miscellaneous.

Miscellaneous court expenses: For an additional amount for such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1937, $15,000.

49 Stat. 1876.

Printing and binding.
49 Stat. 362.

Printing and binding: For an additional amount for printing and binding for the Supreme Court and the United States Court of Appeals of the District of Columbia, except records and briefs in cases in which the United States is a party, fiscal year 1936, $48.25.

Public Welfare.

PUBLIC WELFARE

Workhouse and reformatory.

Workhouse and reformatory: For an additional amount for maintenance, care, and support of inmates, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1937, $58,000.

49 Stat. 1878.

Tuberculosis hospital and sanatorium.
49 Stat. 1879

Tuberculosis hospital and sanatorium: The unexpended balance of the appropriation of $80,000 for furniture and equipment for the new sanatorium contained in the District of Columbia Appropriation Act for the fiscal year 1937 is continued available during the fiscal year 1938.

District Training School.

District Training School: For an additional amount for maintenance and other necessary expenses, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1937, $12,000.

49 Stat. 1880.

Industrial Home School for Colored Children.
49 Stat. 1880

Industrial Home School for Colored Children: For an additional amount for maintenance, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1937, $2,500.

Home for Aged and Infirm.

Home for Aged and Infirm: For an additional amount for provisions, fuel, forage, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1937, $8,000.

49 Stat. 1881.

Saint Elizabeths Hospital.
Support of District insane.
49 Stat. 367.

Saint Elizabeths Hospital: For an additional amount for support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, fiscal year 1936, $17,496.40.

REFUND OF ASSESSMENTS

Refunds of street, etc., assessments.
46 Stat. 1199.

For payment of refunds of assessments for paving streets, avenues, and roads, and laying curbs, as authorized by the provisions of section 11 of the Act entitled "An Act to provide for special assessments for the paving of roadways and the laying of curbs and gutters", approved February 20, 1931 (46 Stat. 1199), $29,691.93, to continue available until June 30, 1938.

JUDGMENTS

Judgments.

Payment of.

For the payment of final judgments, including costs, rendered against the District of Columbia, as set forth in Senate Document Numbered 61, Seventy-fifth Congress, $13,610.96, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment.

Interest.

American Oil Company.

Payment to.

For the payment of final judgment, including costs, rendered against the District of Columbia, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgment, as provided by law, from the date the same became due until the date of payment, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat. 106), and accretions by repayment of assessments, as follows:

43 Stat. 106.

The American Oil Co., a Maryland corporation, $95,748.91.

AUDITED CLAIMS

Audited claims.

Payment of.

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713, p. 1022), being for the service of the fiscal year 1934 and prior fiscal years:

18 Stat. 110.
31 U. S. C. § 713.

Public schools, District of Columbia, 1933, repairs to buildings, $15.77;

Public schools, District of Columbia, 1933, books and periodicals, $39;

Workhouse and reformatory, District of Columbia, 1934, maintenance, $15.75;

District Training School, District of Columbia, 1933, maintenance, $305.19;

Playgrounds, District of Columbia, 1934, bathing pools, $35.10;

Militia, District of Columbia, 1934, $15.60;

In all, audited claims, $426.41.

Settlement of claims.

Settlement of claims: For the payment of claims approved by the Commissioners under and in accordance with the provisions of the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929, as amended by the Act approved June 5, 1930, and certified to Congress in House Document Numbered 235 of the Seventy-fifth Congress, $3,120.36.

45 Stat. 1160; 46 Stat. 500.

Division of expenses.

Division of expenses: The foregoing sums for the District of Columbia shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia appropriation Acts for the respective fiscal years for which such sums are provided.

DEPARTMENT OF COMMERCE

Department of Commerce.

OFFICE OF THE SECRETARY

Secretary's office.

Printing and binding.

Printing and binding: For an additional amount for all printing and binding for the Department of Commerce, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $205,000, to continue available until June 30, 1938.

49 Stat. 1332.

Bureau of Standards.

NATIONAL BUREAU OF STANDARDS

Operation and administration.

Operation and administration: For an additional amount for the general operation and administration of the Bureau, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $900.

49 Stat. 1337.

Testing, inspection, and information service.

Testing, inspection, and information service: For an additional amount for calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $50,900.

49 Stat. 1338.

Research and development.

Research and development: For an additional amount for the maintenance and development of national standards of measurement, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $34,700.

49 Stat. 1338.

Standards for commerce.

Standards for Commerce: For an additional amount for cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $2,900.

49 Stat. 1338.

Bureau of Lighthouses.

BUREAU OF LIGHTHOUSES

General expenses. Aids to navigation.

General expenses: For an additional amount for supplies, including replacement of and necessary additions to existing equipment, repairs, maintenance, and incidental expenses of lighthouses and other lights, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $132,890, to continue available until June 30, 1938.

49 Stat. 1339.

Lighthouse vessels, salaries.

Salaries, lighthouse vessels: For an additional amount for salaries and wages of officers and crews of light vessels and lighthouse tenders, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $35,000.

49 Stat. 1340.

Retired pay.

Retired pay, Lighthouse Service: For an additional amount for retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, fiscal year 1937, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1937, $14,000.

49 Stat. 1340.

Bureau of Fisheries.

BUREAU OF FISHERIES

Little White Salmon fish cultural station, Wash.

Removal and reestablishment of the Little White Salmon fish cultural station: For removal of the fish cultural station on the Little White Salmon River in the State of Washington and its reestablishment elsewhere in said State, including purchase of site (not to exceed $6,000), building materials, and equipment; temporary labor; construction of buildings, rearing ponds, water-supply system, and other fish-cultural facilities, and all other necessary expenses, fiscal year 1937, $60,000, to remain available until June 30, 1938.

Coast and Geodetic Survey.

COAST AND GEODETIC SURVEY

Pay, etc., commissioned officers.

Pay and allowances, commissioned officers: For an additional amount for pay and allowances prescribed by law for commissioned officers, fiscal year 1936, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1936, $2,640.99.

49 Stat. 96.

DEPARTMENT OF THE INTERIOR

Department of the Interior.

WAR MINERALS RELIEF COMMISSION

War Minerals Relief Commission.

For an additional amount for payment of awards made by the Secretary of the Interior in accordance with the Act approved May 18, 1936 (49 Stat. 1355), and June 30, 1936 (49 Stat. 2040), amending section 5 of the War Minerals Relief Act of March 2, 1919, as amended, fiscal year 1937, to remain available during the fiscal year 1938, $750,000, of which not more than $100,000 shall be available for the payment of awards under such Act of June 30, 1936: *Provided*, That all awards made by the Secretary of the Interior for payment under this appropriation shall be certified to the General Accounting Office for settlement through that Office.

Payment of awards. 49 Stat. 1355, 2040.

Proviso. Settlement of awards.

GENERAL LAND OFFICE

General Land Office.

Payments to States of 5 per centum of proceeds from sales of public lands (receipt limitation): For an additional amount for payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, fiscal year 1937, $855.93: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Payments to States from sales of public lands.

Proviso. Limitation. 48 Stat. 1227. 31 U. S. C. § 725a.

Payments to certain counties in Oregon of proceeds of sales of Coos Bay wagon-road grant lands and timber (receipt limitation): For an additional amount for payment of 25 per centum of the balance of the proceeds from sales of the Coos Bay wagon-road grant lands and timber within each of the counties of Coos and Douglas, Oregon, after deducting the accrued taxes in said counties and a sum equal to $2.50 per acre for the land title to which revested in the United States pursuant to the Act of February 26, 1919 (40 Stat. 1179), to be paid to the treasurer of the county for common schools, roads, highways, bridges, and port districts, fiscal year 1937, $12,576.73: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Coos Bay wagon-road lands and timber.

Payments of proceeds from sales of.

40 Stat. 1179.

Proviso. Limitation. 48 Stat. 1227. 31 U. S. C. § 725a.

Payments to certain counties in Oregon in lieu of taxes on Oregon and California grant lands (receipt limitation): For an additional amount for payment to the several counties in the State of Oregon, pursuant to the Act of July 13, 1926 (44 Stat. 915), amounts of money in lieu of the taxes that would have accrued against the revested Oregon and California Railroad Company grant lands if the lands had remained privately owned and taxable, fiscal year 1937, $465,000: *Provided*, That payments to the counties shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Payments in lieu of taxes, Oregon, etc., lands.

44 Stat. 915.

Proviso. Limitation. 48 Stat. 1227. 31 U. S. C. § 725a.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Payment to Indians of Sioux Reservations: For payment of Sioux benefits to Indians of the Sioux Reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, fiscal year 1935, $412.65.

Indians of Sioux Reservations.

25 Stat. 895.

Suppressing contagious diseases among livestock of Indians: For reimbursing Indians of the Mescalero Reservation, New Mexico, for stock destroyed on account of being infected with Malta fever and for expenses in connection with the eradication and prevention of this

Suppressing contagious diseases among livestock, Mescalero Reservation, N. Mex.

disease, fiscal year 1937, $7,500, to be expended under such rules and regulations as the Secretary of the Interior may prescribe and to remain available until June 30, 1938.

San Xavier irrigation project, Ariz.

Operation and maintenance, San Xavier irrigation project, Arizona (tribal funds): For operation and maintenance of the irrigation project on the San Xavier Reservation, Arizona, fiscal year 1936, to remain available until June 30, 1938, $500, payable from the funds derived from the rental of San Xavier tribal lands for motion-picture enterprises.

Colorado River Reservation, Ariz., irrigation system.

Improvement and maintenance, irrigation system, Colorado River Reservation, Arizona (reimbursable): For an additional amount for improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided by the Act of April 4, 1910 (36 Stat. 273), fiscal year 1937, $6,500, reimbursable.

36 Stat. 273.

Zuni Dam, N. Mex.
49 Stat. 1768.

Irrigation, Indian reservations (reimbursable): For repairs to the Zuni Dam, Zuni Indian Pueblo, New Mexico, fiscal year 1937, to remain available until June 30, 1938, $80,000, reimbursable.

Point Barrow Hospital, Alaska, construction, etc.
Proviso
Insurance covered into Treasury.

Construction and equipment, Point Barrow Hospital, Alaska: For the construction and equipment of a hospital at Point Barrow, Alaska, $100,000, to remain available until June 30, 1938: *Provided*, That any money received from insurance on the Point Barrow Hospital building destroyed by fire shall be covered into the Treasury to the credit of miscellaneous receipts.

New vessel, Indian Service, Alaska.

New vessel for Indian Service, Alaska, emergency construction: For an additional amount for construction of a new vessel with a carrying capacity of not less than 1,300 tons, to take the place of the Boxer, fiscal year 1931, $222.54.

Chippewas in Minnesota.
Hospital for, from tribal funds.

Support of hospitals, Chippewas in Minnesota (tribal funds): For an additional amount for support of hospitals maintained for the benefit of the Chippewa Indians in the State of Minnesota, fiscal year 1937, $9,000, payable from the principal sum on deposit to the credit of said Indians arising under section 7 of the Act of January 14, 1889 (25 Stat. 645).

25 Stat. 645.

Annette Island Reserve, Alaska, expenses.

Expenses, Annette Island Reserve, Alaska (receipt limitation): For an additional amount for pay of employees, village improvements, relief of destitution, and such other purposes as may be requested by the town council of Matlakahtla, Annette Island Reserve, Alaska, and approved by the Secretary of the Interior, fiscal year 1937, to remain available until June 30, 1938, $40,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

National Park Service.

NATIONAL PARK SERVICE

Public buildings and grounds, D. C.

Salaries and general expenses, public buildings and grounds in the District of Columbia: For an additional amount for administration, protection, and maintenance of public buildings and grounds in the District of Columbia, under the jurisdiction of the National Park Service, including the same objects specified under this head in the Department of the Interior Appropriation Act, fiscal year 1937, $421,315.

49 Stat. 1796.

Emergency, reconstruction and fighting forest fires.

Emergency reconstruction and fighting forest fires in national parks: For an additional amount for reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in national parks or national monuments that are damaged or destroyed by flood, fire, storm, or other unavoidable causes and for fighting or emergency prevention of

forest fires in national parks or other areas administered by the National Park Service, or fires that endanger such areas, fiscal year 1937, $130,000: *Provided*, That the allotment of these funds to the various national parks or areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary of the Interior, and then only after the obligation for the expenditure has been incurred.

Proviso.
Restriction on allotments.

OFFICE OF EDUCATION

Office of Education.

Salaries and expenses, vocational rehabilitation: For an additional amount for carrying out the provisions of section 6 of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry, and so forth", approved June 2, 1920 (U. S. C., title 29, sec. 31), and the Acts of June 9, 1930, and June 30, 1932 (U. S. C., title 29, secs. 31, 40), and August 14, 1935 (49 Stat. 620), fiscal year 1937, $4,000.

Federal Board for Vocational Education.
41 Stat. 737; 46 Stat. 526; 47 Stat. 450.
29 U. S. C. § 39.

49 Stat. 633.
29 U. S. C., Supp. II, § 45b.

GOVERNMENT IN THE TERRITORIES

Government in the Territories.

Legislative expenses, Territory of Alaska: For an additional amount for legislative expenses for the fiscal year 1937, including $5,400 for salaries of members; $1,290 for salaries of employees; $2,010 for printing, indexing, comparing proofs, and binding laws, printing, indexing, and binding journals, stationery, supplies, printing of bills, reports, and so forth; in all, $8,700, to be expended under the direction of the Governor of Alaska.

Legislative expenses.
49 Stat. 1799.

Alaska Railroad Appropriated Fund: For an additional amount for every expenditure requisite for and incident to the authorized work of the Alaska Railroad including the same objects and subject to the same limitations specified under this head in the Department of the Interior Appropriation Act, 1937, and including alterations and repairs to chartered vessels and payment of commissions to dock agents, $172,222, to continue available until expended.

Alaska Railroad.
Maintenance, etc.

49 Stat. 1800.

FREEDMEN'S HOSPITAL

Freedmen's Hospital.

For an additional amount for the maintenance and operation of Freedmen's Hospital, including the same objects specified under this head in the Department of the Interior Appropriation Act for the fiscal year 1937, $10,000, of which amount one-half shall be chargeable to the District of Columbia, and paid in like manner as other appropriations of the District of Columbia are paid.

Maintenance, etc.

49 Stat. 1803.
Division of expenses.

DEPARTMENT OF JUSTICE

Department of Justice.

OFFICE OF THE ATTORNEY GENERAL

Attorney General's office.

Contingent expenses: For an additional amount for contingent expenses, Department of Justice, including the same objects specified under this head in the Department of Justice Appropriation Act, 1937, fiscal year 1937, $16,000.

Contingent expenses.
49 Stat. 1322.

FEDERAL BUREAU OF INVESTIGATION

Federal Bureau of Investigation.

Claims for damages: For the payment of claims for damages to any person or damages to or loss of privately owned property caused by employees of the Federal Bureau of Investigation, acting within the scope of their employment, considered, adjusted, and determined by the Attorney General, under the provisions of the

Private damage claims, payment.

49 Stat. 1184.
5 U. S. C., Supp. II, § 300b.

Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (49 Stat. 1184), as fully set forth in House Document Numbered 221 of the Seventy-fifth Congress, $796.05.

Judicial.

JUDICIAL

Judges, salaries.

Salaries of judges: For an additional amount for salaries of circuit, district, and retired judges, including the same objects specified under this head in the Department of Justice Appropriation Act, 1937, fiscal year 1937, $45,000.

49 Stat. 1324.

United States Court for China, expenses.
Post, p. 277.

Salaries and expenses, United States Court for China: The appropriation for salaries and expenses, United States Court for China, contained in the Department of State Appropriation Act, 1938, is hereby made immediately available for the payment of obligations (not to exceed $1,850) for such court incurred in the fiscal year 1937.

United States Courts.

MARSHALS AND OTHER EXPENSES OF UNITED STATES COURTS

Marshals, etc.

Salaries, fees, and expenses of marshals: For additional amounts for salaries, fees, and expenses of marshals, United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1931, $170.64.

46 Stat. 189.

Salaries, fees, and expenses of marshals: For additional amount for salaries, fees, and expenses of marshals, United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1937, $33,000.

49 Stat. 1326.

Northern Pacific Railway Company and Others, expenses of prosecuting case against.
49 Stat. 1624.

Case of The United States against the Northern Pacific Railway Company and Others: The unexpended balance of the appropriation "Salaries and Expenses, case of Northern Pacific Railway Co. and Others, 1936 and 1937", contained in the First Deficiency Appropriation Act, fiscal year 1936, is continued available for the same purposes until June 30, 1938.

Special assistant attorneys.

Pay of special assistant attorneys, United States courts: For additional amounts for pay of special assistant attorneys, United States courts, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

47 Stat. 1383.

For 1934, $4,000;

48 Stat. 541.

For 1935, $2,948.57.

Clerks.

Salaries and expenses of clerks: For an additional amount for salaries and expenses of clerks, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Act, 1937, fiscal year 1937, $20,000.

49 Stat. 1327.

Commissioners, fees.

Fees of commissioners: For additional amounts for fees of United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (U. S. C., title 18, sec. 591), for the following fiscal years:

R. S. § 1014.
18 U. S. C. § 591.

43 Stat. 221.

For 1925, $688.10;

45 Stat. 1111.

For 1930, $24.45;

47 Stat. 492.

For 1933, $52.23.

Conciliation commissioners, fees, etc.

Fees and expenses of conciliation commissioners, United States courts: For an additional amount for fees of conciliation commissioners, and per-diem allowance and traveling expenses of supervising conciliation commissioners, as authorized by the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July

30 Stat. 544; 47 Stat. 1467.
11 U. S. C. § 203.

1, 1898, and Acts amendatory thereof and supplementary thereto", as amended, fiscal years 1935 and 1936, $40,000.

Bailiffs, etc.

Pay of bailiffs, and so forth: For an additional amount for pay of bailiffs, and so forth, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Act, 1937, fiscal year 1937, $20,000.

49 Stat. 1327.

Miscellaneous expenses.

Miscellaneous expenses: For an additional amount for miscellaneous expenses, United States courts, including the same objects specified under this head in the Department of Justice Appropriation Act, 1937, fiscal year 1937, $75,000.

49 Stat. 1327.

Rent.
48 Stat. 542.

Rent of courtrooms, United States courts: For an additional amount for rent of rooms for the United States courts and juridical officers, fiscal year 1935, $245.81.

Supplies.

Supplies for United States courts: For an additional amount for supplies for United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1934, fiscal year 1934, $1.75.

47 Stat. 1384.

B. F. Curler, payment of compensation.

Compensation of special master in case of United States against Walker River Irrigation District and others: For the compensation of B. F. Curler as special master in case of United States against Walker River Irrigation District and others, in accordance with the order of the United States District Court for the District of Nevada, dated April 13, 1936, $12,000.

PENAL AND CORRECTIONAL INSTITUTIONS

Penal and correctional institutions.

McNeil Island, Wash., penitentiary site.

United States Penitentiary, McNeil Island, Washington: For an additional amount for the acquisition of land on McNeil Island, and Gertrudis Island, and Pitt Island, in the State of Washington, $53,000.

Support of prisoners.

Support of United States prisoners: For additional amounts for support of United States prisoners, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

45 Stat. 83.

For 1929, $61.45;

46 Stat. 1329.

For 1932, $201.30.

National Training School for Boys, D. C.

National Training School for Boys, Washington, District of Columbia: For an additional amount for National Training School for Boys, Washington, District of Columbia, including the same objects specified under this head in the Department of Justice Appropriation Act, 1937, fiscal year 1937, $11,500.

49 Stat. 1330.

DEPARTMENT OF LABOR

Department of Labor.

IMMIGRATION AND NATURALIZATION SERVICE

Immigration and Naturalization Service.

Salaries and expenses.
49 Stat. 1348.

Salaries and expenses: For an additional amount for salaries and expenses, Immigration and Naturalization Service, fiscal year 1937, for payment only of extra compensation for overtime services of inspectors and employees for which the United States receives reimbursement in accordance with the provisions of the Act of March 2, 1931 (U. S. C., title 8, secs. 109a and 109b), $100,000.

46 Stat. 1467.
8 U. S. C. §§ 109a, 109b.

WOMEN'S BUREAU

Women's Bureau.

Salaries and expenses.
41 Stat. 987.
29 U. S. C. §§ 11–16.

Salaries and expenses: For an additional amount for carrying out the provisions of the Act entitled "An Act to establish in the Department of Labor a Bureau to be known as the Women's Bureau", approved June 5, 1920 (U. S. C., title 29, secs. 11–16), fiscal year 1937, including the same objects specified under this head in the Department of Labor Appropriation Act, 1937, $825.

49 Stat. 1350.

Navy Department.

NAVY DEPARTMENT

Secretary's office.

OFFICE OF THE SECRETARY

Collision damage claims. 42 Stat 1066. 34 U. S. C § 599.

Claim for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922, as fully set forth in House Document Numbered 226, Seventy-fifth Congress, $103.59.

Bureau of Navigation.

BUREAU OF NAVIGATION

Travel allowance, etc. 42 Stat 790.

Transportation: For travel allowance, and so forth, including the same objects specified under this head in the Act making appropriations for the Navy Department and the naval service for the fiscal year 1923, fiscal year 1923, $44.30.

Bureau of Yards and Docks.

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works, etc.

For the following-named public-works and public-utilities projects at a limit of cost not to exceed the amount stated for each project enumerated, respectively:

Puget Sound, Wash.

Navy Yard, Puget Sound, Washington: Improvement of switching equipment, including shelter, $85,000;

Norfolk, Va.

Naval Air Station, Norfolk, Virginia: Extension of assembly and repair shop, $75,000;

Naval Operating Base, Norfolk, Virginia: For an additional amount for improvement of water front, $160,000;

Pensacola, Fla.

Naval Air Station, Pensacola, Florida: Improvement of water supply, $40,000;

Accounting.

In all, $360,000, which, together with unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

Naval Observatory.

NAVAL OBSERVATORY

Library, books, etc.

Contingent and miscellaneous expenses: For professional and scientific books and so forth, including the same objects specified under this head in the Act making appropriatons for the Navy Department and the naval service for the fiscal year 1935, fiscal year 1935, $13.69.

48 Stat. 424.

Post Office Department.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

Postmaster General.

OFFICE OF THE POSTMASTER GENERAL

Printing and binding. 49 Stat. 1846.

Printing and binding: For an additional amount for printing and binding for the Post Office Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, fiscal year 1937, $100,000.

Chief Inspector's office.

OFFICE OF THE CHIEF INSPECTOR

Rewards for detecting law violations.

Payment of rewards: For an additional amount for payment of rewards, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, fiscal year 1936, $4,000.

49 Stat. 237.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

First Assistant Postmaster General.

Compensation to postmasters: For an additional amount for compensation to postmasters, including the same objects specified under this head in the Post Office Department Appropriation Act, 1937, fiscal year 1937, $1,000,000.

Postmasters.

49 Stat. 1848.

Clerks, first- and second-class post offices: For an additional amount for compensation to clerks and employees at first- and second-class post offices, including the same objects specified under this head in the Post Office Department Appropriation Act, 1937, fiscal year 1937, $6,500,000.

Clerks, first- and second-class offices.

49 Stat. 1848.

Clerks, third-class post offices: For an additional amount for allowances to third-class post offices to cover the cost of clerical services, fiscal year 1937, $225,000.

Clerks, third-class offices.
49 Stat. 1848.

Carfare and bicycle allowance: For an additional amount for carfare and bicycle allowance, including special-delivery carfare, fiscal year 1937, $25,000.

Carfare and bicycle allowance.
49 Stat. 1848

City delivery carriers: For an additional amount for pay of letter carriers, City Delivery Service, fiscal year 1937, $400,000.

City delivery carriers.
49 Stat. 1848.

Special-delivery fees: For an additional amount for fees to special-delivery messengers, for the following fiscal years:

Special-delivery fees.

For 1936, $318,000;

49 Stat. 238.

For 1937, $875,000.

49 Stat. 1848.

OFFICE OF SECOND ASSISTANT POSTMASTER GENERAL

Second Assistant Postmaster General.

Railroad transportation and mail messenger service: For an additional amount for inland transportation by railroad routes and for mail messenger service, including the same objects specified under this head in the Post Office Department Appropriation Act, 1937, fiscal year 1937, $5,300,000.

Railroad transportation, etc.

49 Stat. 1849.

Foreign-mail transportation: For an additional amount for transportation of foreign mails by steamship, aircraft, or otherwise, including the same objects specified under this head in the Post Office Department Appropriation Act, 1938, fiscal year 1938, $488,500: *Provided*, That the limitations in such Act with respect to expenditures for the fiscal year 1938 and obligations for the fiscal year 1939 for carrying foreign mails by aircraft are hereby increased in the amount of $488,500.

Foreign mail transportation.

Ante, p. 159.

Proviso.
Amount for aircraft increased.

Contract air-mail service: For an additional amount for the inland transportation of mail by aircraft, including the same objects specified under this head in the Post Office Department Appropriation Act, 1936, fiscal year 1936, $12,000.

Contract air-mail service.
49 Stat. 239.

OFFICE OF THIRD ASSISTANT POSTMASTER GENERAL

Third Assistant Postmaster General.

Manufacture and distribution of stamps and stamped paper: For an additional amount for the manufacture and distribution of stamps and stamped paper, including the same objects specified under this head in the Post Office Department Appropriation Act, 1937, fiscal year 1937, $250,000.

Stamps, stamped paper, etc.

49 Stat. 1850.

DEPARTMENT OF STATE

Department of State.

Printing and binding, Department of State: For an additional amount for printing and binding in the Department of State, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, fiscal year 1937, $5,500.

Printing and binding.
49 Stat. 1311.

Passport agencies.

49 Stat. 1311.

Passport agencies: For an additional amount for passport agencies, Department of State, including the same objects specified under this head in the Department of State Appropriation Act, 1937, fiscal year 1937, $6,510.

Contingent expenses, Foreign Service.

49 Stat. 1314.

Contingent expenses, Foreign Service: For an additional amount for contingent expenses, Foreign Service, including the same objects specified under this head in the Department of State Appropriation Act, 1937, fiscal year 1937, $53,200.

Foreign Service clerks' salaries.
Sum transferred.
49 Stat 70.

Foreign Service clerks' salaries: The sum of $9,000 is hereby transferred from the appropriation "Office and living quarters, Foreign Service, 1936", to the appropriation "Salaries, Foreign Service clerks, 1936".

Conference on Extraterritorial Rights in Egypt.

Conference on Extraterritorial Rights in Egypt: For the expenses of participation by the United States in a Conference on Extraterritorial Rights in Egypt, to be held at Montreux, Switzerland, in 1937, including personal services in the District of Columbia or elsewhere without regard to the Classification Act of 1923, as amended; stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; local transportation; printing and binding; official cards; purchase of necessary books, documents, newspapers, and periodicals; stationery; entertainment; and such other expenses as the Secretary of State may authorize, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, fiscal year 1937, $3,500, to remain available until June 30, 1938.

Reporting, etc., services.
R. S. § 3709.
41 U. S. C. § 5.

Reimbursement of other appropriations.

Joint Committee of American and Philippine Experts.
48 Stat. 464.
48 U. S. C. § 1234.

Joint Committee of American and Philippine Experts: For expenses of the American section of a joint committee of American and Philippine experts in making preparations for the conference authorized by section 13 of the Act of March 24, 1934 (48 Stat. 456), including personal services in the District of Columbia and elsewhere without regard to the civil-service laws and the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent in the District of Columbia or elsewhere; traveling expenses; purchase of necessary furniture and fixtures, books, documents, newspapers, periodicals, and charts; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, $42,000, to remain available until June 30, 1938.

Reporting, etc., services.
R. S. § 3709.
41 U. S. C. § 5.

Reappropriations.
International conferences.
49 Stat. 1633.

Reappropriations for international conferences: The unexpended balances of the appropriations "International Monetary and Economic Conference, 1933–1937", and "General Disarmament Conference, Geneva, Switzerland, 1933–1937", contained in the First Deficiency Appropriation Act, fiscal year 1936, are continued available for the same purposes until June 30, 1938.

International Radio Consulting Committee, Rumania, 1937.
49 Stat. 1316.

The unexpended balance of the appropriation "International Radio Consulting Committee, Rumania, 1937", contained in the Department of State Appropriation Act, 1937, is continued available for the same purposes until June 30, 1938.

Conference to Revise Convention for Protection of Literary, etc., Works.
49 Stat. 1633.

The unexpended balance of the appropriation "Conference to Revise Convention for Protection of Literary and Artistic Works, Brussels, Belgium, 1936 and 1937", contained in the First Deficiency Appropriation Act, fiscal year 1936, is continued available for the same purposes until June 30, 1938.

The unexpended balance of the appropriation "Conference on oil pollution of navigable waters, 1936 and 1937", contained in the First Deficiency Appropriation Act, fiscal year 1936, is continued available for the same purposes until June 30, 1938.

Conference on oil pollution.
49 Stat. 1632.

The unexpended balance of the appropriation "Arbitration of smelter fumes controversy, United States and Canada, 1936 and 1937", contained in the Department of State Appropriation Act, 1937, is continued available for the same purposes until June 30, 1938.

Arbitration of smelter fumes controversy.
49 Stat. 1319

Mixed Claims Commission, United States and Germany: For an additional amount for the Mixed Claims Commission, United States and Germany, fiscal year 1937, to remain available until June 30, 1938, $35,000, including the same objects specified under this head in the First Deficiency Appropriation Act, fiscal year 1936.

Mixed Claims Commission, United States and Germany.
49 Stat 1631.

General Claims Convention, United States and Mexico: For an additional amount for the General Claims Convention, United States and Mexico, fiscal year 1938, including the same objects specified under this head in the Department of State Appropriation Act, 1938, $8,400.

General Claims Convention, United States and Mexico.
Post, p. 271.

TREASURY DEPARTMENT

Treasury Department.

OFFICE OF THE SECRETARY

Secretary's office.

Administrative expenses, Adjusted Compensation Payment Act: For an additional amount, fiscal years 1936 and 1937, for expenditure under the direction of the Secretary of the Treasury for carrying out of the provisions of the Adjusted Compensation Payment Act, 1936, in the District of Columbia and elsewhere, including the same objects specified under this head in the Supplemental Appropriation Act, fiscal year 1936, $1,682,000, to remain available until June 30, 1938, and the Secretary of the Treasury is authorized to advance, from time to time, to the Postmaster General, from this appropriation, such sums as are certified by the Postmaster General to be required for the expenses of the Post Office Department in connection with the handling of the bonds issued under the Adjusted Compensation Payment Act of 1936, and the Secretary of the Treasury shall reimburse the Postmaster General, from this appropriation, for such postage and registry fees as may be required in connection with the transmittal of such bonds to the various Federal Reserve banks and to the Treasury Department, Washington, District of Columbia.

Adjusted Compensation Payment Act, administrative expenses.
49 Stat. 1099.

49 Stat. 1114.

Advances to Postmaster General.

Claims for damages, operation of vessels, Coast Guard and Public Health Service: To pay claims for damages adjusted and determined by the Secretary of the Treasury under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and the Public Health Service, in sums not exceeding $3,000 in any one case", approved June 15, 1936, as fully set forth in House Document Numbered 222, Seventy-fifth Congress, $609.95.

Damages caused by Coast Guard, etc., vessels.
49 Stat. 1514.
14 U. S. C., Supp. II, § 71.

DIVISION OF PRINTING

Division of Printing.

Printing and binding: For an additional amount for printing and binding, Treasury Department, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $150,000.

Printing and binding.
49 Stat. 1830.

Stationery: For an additional amount for stationery for the Treasury Department, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $75,000.

Stationery.

Public Debt Service.

PUBLIC DEBT SERVICE

Distinctive paper for securities.

Distinctive paper for United States securities: For an additional amount for distinctive paper for United States currency and Federal Reserve bank currency, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $126,600.

49 Stat. 1832.

Customs Bureau.

BUREAU OF CUSTOMS

Collecting revenue.

Collecting the revenue from customs: For an additional amount for collecting the revenue from customs, including the same objects specified under this head in the Treasury Department Appropriation Act for the fiscal year 1937, $125,000.

49 Stat. 1832

Internal Revenue Bureau.

BUREAU OF INTERNAL REVENUE

Refund of processing taxes.

Salaries and expenses, refunding of processing taxes: The unexpended balance of the funds transferred to the Treasury Department from the appropriation "Exportation and domestic consumption of agricultural commodities, Department of Agriculture, 1936", and made available for the fiscal year 1937 for the purpose of providing for the salaries and administrative expenses of the Treasury Department in making refunds and payments of processing and related taxes, as authorized by titles IV and VII of the Revenue Act of 1936, is hereby continued available during the fiscal year 1938 for the same purpose, including personal services and rent in the District of Columbia and elsewhere, stationery and office supplies, equipment, furniture, mechanical devices, law books, books of reference, trade journals, periodicals, newspapers, stenographic reporting services, telegraph and telephone services, postage, freight, express, printing and binding, notarial fees, travel expenses, witness fees and mileage of experts, mileage and per diem of witness in lieu of subsistence, payment of which fees, mileage, or per diem may be made in advance upon certification of such officer as the Commissioner of Internal Revenue or the Secretary of the Treasury may designate.

49 Stat. 1739, 1747.

Refunds and payments of processing, etc, taxes.

Refunds and payments of processing and related taxes: For refunds and payments of processing and related taxes as authorized by titles IV and VII, Revenue Act of 1936, for refunds of taxes erroneously, illegally, or otherwise wrongfully collected, under the Cotton Act of April 21, 1934, as amended (48 Stat., p. 598), the Tobacco Act of June 28, 1934, as amended (48 Stat., p. 1275), and the Potato Act of August 24, 1935 (49 Stat., p. 782); and for redemption of tax stamps purchased under the aforesaid Tobacco and Potato Acts, fiscal year 1938, $15,000,000, together with the unexpended balance of the funds transferred to the Treasury Department from the appropriation "Exportation and domestic consumption of agricultural commodities, Department of Agriculture, 1936", and made available for the fiscal year 1937 for the purpose of providing for refunds and payments under title IV, Revenue Act of 1936.

48 Stat. 598, 1275; 49 Stat. 782.

Sum reappropriated.

Narcotics Bureau.

BUREAU OF NARCOTICS

Salaries and expenses.

Salaries and expenses: For an additional amount for salaries and expenses, Bureau of Narcotics, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $50,000.

49 Stat. 1835.

Coast Guard.

COAST GUARD

Outfits.

Outfits: For an additional amount for outfits, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $24,160, to remain available until June 30, 1938.

49 Stat. 1836.

Rebuilding and repairing stations and so forth: For an additional amount for rebuilding and repairing stations, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $147,600, which amount, together with not to exceed $125,000 of the appropriation of $310,700 under this head in the First Deficiency Appropriation Act, 1936, shall remain available until June 30, 1938.

Stations, etc., improvements.
49 Stat. 1836, 1637.

Communication lines: For an additional amount for communication lines, Coast Guard, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $40,000, to remain available until June 30, 1938.

Communication lines.
49 Stat. 1836.

Repairs to Coast Guard vessels: For an additional amount for repairs to Coast Guard vessels, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $50,000, to remain available until June 30, 1938.

Vessels, repairs.
49 Stat. 1837.

Additional airplanes: The appropriation of $697,500 for additional airplanes and their equipment, spare parts, and accessories, as provided in the Treasury Department Appropriation Act, 1937, is hereby continued available until June 30, 1938.

Additional airplanes.
49 Stat. 1837.

Interchange of appropriations: Such part of any appropriation for the Coast Guard, contained in the Treasury Department Appropriation Act, 1938, except the appropriations "Pay and allowances", "Civilian Employees", and "Salaries, Office of the Commandant", as may be necessary for freight and express charges on materials, supplies, and equipment, may be transferred, with the approval of the Director of the Bureau of the Budget, to the appropriation for contingent expenses of the Coast Guard in order to make such payments.

Interchange of appropriations.
Ante, pp. 145, 146.

BUREAU OF THE MINT

Bureau of the Mint

Medal to George M. Cohan: For carrying out the provisions of the Act entitled "An Act authorizing the President to present a gold medal to George M. Cohan", approved June 29, 1936 (49 Stat., pt. 2, 327), $700.

George M. Cohan, medal.
49 Stat. 2371.

Medal to Lincoln Ellsworth: For carrying out the provisions of the Act entitled "An Act to award a special gold medal to Lincoln Ellsworth", approved June 16, 1936, $700.

Lincoln Ellsworth, medal.
49 Stat. 2324.

PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

Procurement Division; Public Buildings Branch.

Operating force for public buildings: For an additional amount for personal services, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $35,000.

Operating force.
49 Stat. 1843.

Operating supplies for public buildings: For an additional amount for operating supplies, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, $15,000.

Operating supplies.
49 Stat. 1843.

WAR DEPARTMENT

War Department.

MILITARY ACTIVITIES

Military activities.

SALARIES, WAR DEPARTMENT

Department salaries.

Office of Chief of Staff: There is hereby transferred to the appropriation for "Salaries, War Department, Office of Chief of Staff, 1937", the sum of $2,480 from the appropriation "Pay of the Army, 1937".

Chief of Staff, sum transferred.
49 Stat. 1279, 1282.

Finance Department.

FINANCE DEPARTMENT

Travel allowances, etc. Military Academy cadets.

Travel of the Army: The appropriation "Travel of the Army, 1937" shall be available for expenses of travel, including per-diem allowances in lieu of subsistence of $2.75 each for the Corps of Cadets, United States Military Academy, the band, and necessary commissioned and enlisted personnel attending the inaugural ceremonies held in the city of Washington, District of Columbia, on January 20, 1937.

Nonmilitary activities.

NONMILITARY ACTIVITIES

Engineer Corps.

CORPS OF ENGINEERS

Flood control, Mississippi River and tributaries.

45 Stat. 534.
33 U. S. C. § 702a.

Flood control, Mississippi River and tributaries: For an additional amount for prosecuting work of flood control in accordance with the provisions of the Flood Control Act, approved May 15, 1928 (U. S. C., title 33, sec. 702a), fiscal year 1937, $1,000,000, to remain available until expended.

River and harbor work, damage claims.

41 Stat. 1015.
33 U. S. C. § 564.

Claims for damages, River and Harbor Work: To pay claims for damages under river and harbor work adjusted and determined by the War Department under the provision of section 9 of the River and Harbor Act approved June 5, 1920 (U. S. C., title 33, sec. 564), as set forth in House Document Numbered 220 of the Seventy-fifth Congress, $1,256.41.

Enlistment allowance to enlisted men for reenlistment, restriction.

No part of any appropriation contained in this or any other Act for the fiscal year ending June 30, 1938, shall be available for the payment of enlistment allowance to enlisted men for reenlistment within a period of three months from date of discharge as to reenlistments made during the fiscal year ending June 30, 1938, notwithstanding the applicable provisions of sections 9 and 10 of the Act entitled "An Act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service", approved June 10, 1922 (U. S. C., title 37, secs. 13 and 16).

42 Stat. 629, 630.
37 U. S. C. §§ 13, 16.

Judgments and authorized claims.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

Damage claims.

PROPERTY DAMAGE CLAIMS

Payment of.

SECTION 1. For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in House Document Numbered 229 of the Seventy-fifth Congress, as follows:

42 Stat. 1066.
31 U. S. C. §§ 215–217.

Offices designated.

Federal Civil Works Administration, $139;
Federal Emergency Relief Administration, $106;
General Accounting Office, $14;
Works Progress Administration, $8,276.36;
Department of Agriculture, $12,278.84;
Department of Commerce, $811.36;
Department of the Interior, $9,045.24;
Navy Department, $1,395.65;
Treasury Department, $421.62;
War Department, $5,625.56;
Post Office Department (payable from postal revenues), $829.99;
In all, $38,943.62.

JUDGMENTS, UNITED STATES COURTS

United States courts, judgments.

SEC. 2. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761–765), certified to the Seventy-fifth Congress in House Document Numbered 218 under the following departments and establishments, namely:

Payment of.

24 Stat. 505.
28 U. S. C. § 41, par. 20; §§ 258, 761–765.

Navy Department, $20,224.37;
Post Office Department, $3,345.63;
State Department, $3,796;
War Department, $1,356;

In all, $28,722, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

Interest.

(b) For the payment of a judgment, including costs of suit, rendered against the Government of the United States by a United States district court under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs. 781–789), certified to the Seventy-fifth Congress in House Document Numbered 218, under the following department: Navy Department, $820.34; together with such additional sum as may be necessary to pay interest as specified in such judgment or as provided by law.

Suits in admiralty.

43 Stat. 1112.
46 U. S. C. §§ 781–789.

(c) For the payment of judgments in special cases, including costs of suits, rendered against the Government of the United States by United States district courts pursuant to authority contained in certain private Acts, certified to the Seventy-fifth Congress in House Document Numbered 218, under the following departments, namely:

Judgments, special cases.

War Department, $17,213.40;
Navy Department, $9,857.36;

In all, $27,070.76 together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

Interest.

(c) For the payment of a judgment rendered against the Government of the United States by a United States district court under the provisions of an Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (U. S. C., title 38, sec. 11d), certified to the Seventy-fifth Congress in House Document Numbered 224, under the following independent establishment: Veterans' Administration, $2,184.63, together with such additional sum as may be necessary to pay interest as specified in such judgment or as provided by law.

Court judgment, Veterans' Administration.
46 Stat. 1017.
38 U. S. C. § 11d.

Interest.

(d) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Time of payments.

(e) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Interest payment, restriction.

JUDGMENTS, COURT OF CLAIMS

Judgments, Court of Claims.

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fifth Congress in House Docu-

Payment of.

ment Numbered 223, under the following departments and establishments, namely:

United States Shipping Board, Emergency Fleet Corporation, $1,592,464.46;

Navy Department, $8,249.12;

Treasury Department, $14,286.24;

War Department, $221,441.93;

In all, $1,836,441.75, together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

Time of payments.

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Audited claims.

AUDITED CLAIMS

Payment of.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations theretofore treated as permanent, being for the service of the fiscal year 1934 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 216, Seventy-fifth Congress, there is appropriated as follows:

18 Stat. 110.
31 U. S. C. § 713.

23 Stat 254.
5 U. S. C. § 266

Independent Offices.

Independent Offices: For operations under Mineral Act of October 5, 1918, $22,915.36.

For salaries and expenses, Board of Tax Appeals, $23.25.

For Interstate Commerce Commission, $227.19.

For salaries and expenses, Farm Credit Administration, $29.11.

For Army pensions, $237.41.

For Army and Navy pensions, $62.43.

For salaries, Bureau of Pensions, $28.

For medical and hospital services, Veterans' Bureau, $2,375.51.

For salaries and expenses, Veterans' Bureau, $4.55.

For salaries and expenses, Veterans' Administration, $12,398.67.

For vocational rehabilitation, Veterans' Bureau, $158.25.

Department of Agriculture.

Department of Agriculture: For salaries and expenses, Weather Bureau, $2.62.

For salaries and expenses, Bureau of Animal Industry, $161.73.

For salaries and expenses, Bureau of Plant Industry, $3.85.

For salaries and expenses, Forest Service, Emergency Construction (Act July 21, 1932), $27.91.

For salaries and expenses, Forest Service, $1,130.37.

For salaries and expenses, Bureau of Plant Quarantine, $13.94.

For salaries and expenses, Bureau of Entomology, $220.

For salaries and expenses, Bureau of Biological Survey, $21.90.

For salaries and expenses, Bureau of Agricultural Economics, $160.45.

For salaries and expenses, Food and Drug Administration, $1.99.

Department of Commerce.

Department of Commerce: For air-navigation facilities, $1,621.75.

For contingent expenses, Department of Commerce, 94 cents.

For color standardization, Bureau of Standards, $192.73.

For general expenses, Lighthouse Service, $142.87.

For aircraft in Commerce, $8.70.

District of Columbia.

District of Columbia: For salaries and expenses, Court of Appeals, District of Columbia, $11.79.

For health department, District of Columbia, $11.04.

The two foregoing sums to be payable from the revenues of the District of Columbia.

Department of the Interior.

Department of the Interior: For contingent expenses, Department of the Interior, $22.93.

For education of natives of Alaska, $307.21.

For Geological Survey, $665.52.

For National Park Service, $10.31.

For Saint Elizabeths Hospital, $65.25.

For salaries and expenses, office of national parks, buildings and reservations, $665.68.

For surveying the public lands, $2.

For temporary government for Virgin Islands, $6.

For purchase and transportation of Indian supplies, $282.23.

For Indian school support, $537.70.

For Indian school transportation, $118.35.

For conservation of health among Indians, $528.54.

For medical relief in Alaska, $1.85.

For Indian agency buildings, $2.12.

For Indian boarding schools, $1,556.76.

For support of Indians and administration of Indian property, $263.85.

For education of natives of Alaska, $15.28.

For suppressing liquor traffic among Indians, $6.

For improvement, maintenance, and operation, irrigation system, Crow Reservation, Montana, $5.36.

For irrigation, Indian reservations, $5.14.

Department of the Interior: For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $39.20.

For administration of Indian forests, $71.92.

For pay of Indian police, $35.99.

For education, Sioux Nation, $375.81.

For obtaining employment for Indians, $2.90.

For Indian school buildings, $5.60.

Department of Justice.

Department of Justice: For salaries and expenses, United States Customs Court, $21.85.

For salaries and expenses, Bureau of Prohibition, $194.41.

For salaries, fees, and expenses of marshals, United States courts, $3,029.35.

For fees of jurors, United States courts, $6.50.

For fees of jurors and witnesses, United States courts, $213.15.

For fees of commissioners, United States courts, $87.35.

For miscellaneous expenses, United States courts, $1,787.68.

For probation system, United States courts, $3.54.

For salaries and expenses, Veterans' insurance litigation, Department of Justice, $20.

For salaries and expenses, Division of Investigation, $239.25.

For support of United States prisoners, $118.95.

For prison camps, construction and maintenance, $7.25.

For United States penitentiary, Leavenworth, Kansas, maintenance, $12.30.

For Federal industrial institution for women, Alderson, West Virginia, maintenance, $1,880.83.

For United States southwestern reformatory, maintenance, $3.45.

For United States hospital for defective delinquents, maintenance, 78 cents.

For Federal correctional camp, Eustis, Virginia, maintenance, $277.79.

For United States penitentiary, McNeil Island, Washington, maintenance, $1,074.

For prison camps, maintenance, $663.74.

For detection and prosecution of crimes, $2.70.

For pay of bailiffs and so forth, United States courts, $14.

For salaries and expenses of district attorneys, United States courts, $26.05.

For salaries and expenses of clerks, United States courts, $14.51.

Department of Labor.

Department of Labor: For expenses of regulating immigration, $564.64.

For salaries and expenses, Bureau of Labor Statistics, $4.07.

For salaries and expenses, Immigration and Naturalization Service, $5,149.92.

For salaries and expenses, Women's Bureau, $1.50.

For salaries and expenses, Bureau of Naturalization, $3.05.

For salaries and expenses, Commissioners of Conciliation, $8.45.

For salaries and expenses, Bureau of Immigration, $12.25.

Navy Department.

Navy Department: For pay, miscellaneous, $27.66.

For miscellaneous expenses, Navy, $89.17.

For transportation, Bureau of Navigation, $29.80.

For instruments and supplies, Bureau of Navigation, $1,161.50.

For organizing the Naval Reserve, $44.36.

For engineering, Bureau of Engineering, $30,505.84.

For construction and repair, Bureau of Construction and Repair, $15,335.06.

For pay of the Navy, $897.17.

For pay, subsistence, and transportation, Navy, $19,334.77.

For maintenance, Bureau of Supplies and Accounts, $1,798.41.

For medical department, Bureau of Medicine and Surgery, $34.

For aviation, Navy, $297,424.68.

For pay, Marine Corps, $1,497.62.

For general expenses, Marine Corps, $833.48.

For maintenance, Quartermaster's Department, Marine Corps, $62.50.

For prize money, Battle of Manila Bay, $138.53.

For judgments, bounty for destruction of enemy's vessels, $71.44.

Department of State.

Department of State: For contingent expenses, Foreign Service, $17.15.

For salaries, Foreign Service clerks, $12.98.

For transportation of Foreign Service officers, $3,557.48.

For salaries, Foreign Service officers, $59.02.

Treasury Department.

Treasury Department: For collecting the revenue from customs, $14.80.

For Coast Guard, $180.

For pay and allowances, Coast Guard, $26.49.

For outfits, Coast Guard, $44.55.

For contingent expenses, Coast Guard, $21.41.

For collecting the internal revenue, $25.93.

For enforcement of narcotic and national prohibition Acts, $140.90.

For salaries and expenses, Bureau of Industrial Alcohol, $9.76.

For suppressing counterfeiting and other crimes, $1.35.

For pay of other employees, Public Health Service, $2.70.

For pay of personnel and maintenance of hospitals, Public Health Service, $26.37.

For studies of rural sanitation, Public Health Service, 45 cents.

For stationery, Treasury Department, $5.33.

For educational exhibits, Public Health Service, $5.47.

For laboratory at Hamilton, Montana, Public Health Service, $5,156.80.

For furniture and repairs of same for public buildings, $33.75.
For general expenses, Procurement Division, $6.97.
For mechanical equipment for public buildings, $4.65.
For operating expenses, Treasury buildings, Procurement Division, $100.07.
For operating supplies for public buildings, $3.30.
For general expenses of public buildings, $8.10.
For salaries and expenses, Bureau of War Risk Insurance, $42.50.
For refunding taxes illegally collected, 31 cents.

War Department.

War Department: For pay, and so forth, of the Army, $43,479.19.
For pay of the Army, $6,027.50.
For increase of compensation, Military Establishment, $856.06
For extra pay to volunteers, War with Spain, $31.20.
For extra pay to Regular Army, War with Spain, $15.60.
For arrears of pay, bounty, and so forth, $29.95.
For Army transportation, $1,602.16.
For clothing and equipage, $207.36.
For replacing clothing and equipage, $75.33.
For barracks and quarters, $2,923.17.
For subsistence of the Army, $270.52.
For supplies, services, and transportation, Quartermaster Corps, $99.85.
For general appropriations, Quartermaster Corps, $5,457.85.
For claims of officers and men of the Army for destruction of private property, Act March 3, 1885, $123.65.
For registration and selection for military service, $175.
For ordnance service and supplies, Army, $45,123.36.
For replacing ordnance and ordnance stores, $172.81.
For medical and hospital department, $61.
For seacoast defenses, Panama Canal, $11,542.98.
For National Guard, $10,282.67.
For pay of National Guard for armory drills, $69.40.
For arming, equipping, and training the National Guard, $3,645.49.
For Reserve Officers' Training Corps, $458.08.
For organized reserves, $207.62.
For citizens' military training camps, $23.05.
For pay, and so forth, of the Army, War with Spain, $80.57.
For replacing barracks and quarters, $51.92.
For replacing Army transportation, $2.56.
For regular supplies of the Army, $6.04.
For Air Corps, Army, $3,643.69.

Post Office Department.

Post Office Department—Postal Service (Out of the Postal Revenues): For city-delivery carriers, $50.91.
For clerks, first- and second-class post offices, $469.36.
For clerks, third-class post offices, $581.43.
For compensation to postmasters, $373.20.
For freight, express, or motor transportation of equipment and so forth, $105.86.
For indemnities, domestic mail, $144.63.
For indemnities, international mail, $112.10.
For miscellaneous items, first- and second-class post offices, $6.
For operating supplies for public buildings, Post Office Department, $84.37.
For post-office equipment and supplies, $37.85.
For railroad transportation and mail-messenger service, $631.11.
For rent, light, and fuel, $3,305.10.
For Rural Delivery Service, $23.91.
For separating mails, $60.14.

For special-delivery fees, 20 cents.
For unusual conditions at post offices, $87.95.
For vehicle service, $529.76.
For village-delivery service, $19.68.

Total; additional sum, increases in rates of exchange.

Total, audited claims, section 4 (a), $585,400.89, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Judgments against collectors of customs.

SEC. 5. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by United States District Court for the Southern District of New York against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U. S. C., title 28, sec. 842), and certified to the Seventy-fifth Congress in House Document Numbered 225, under the Department of Labor, $15,415.36.

R. S. § 989.
28 U. S. C. § 842.

Credits for shipments of automobiles.
49 Stat. 1107.

SEC. 6. For the payment of claims allowed by the General Accounting Office pursuant to Public Act Numbered 436 of the Seventy-fourth Congress, which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in House Document Numbered 219, Seventy-fifth Congress, under the War Department, $278.56.

23 Stat. 254.
5 U. S. C. § 266.

Private property damages, military personnel.
48 Stat. 1226.
31 U. S. C. § 725b.

SEC. 7. For the payment of a claim allowed by the General Accounting Office pursuant to the provisions of section 3 of the Permanent Appropriation Repeal Act, approved June 26, 1934 (48 Stat. 1226), which has been certified to Congress in House Document Numbered 227, Seventy-fifth Congress, under the War Department, $261.24.

Citation of Act.

SEC. 8. This Act may be cited as the "Second Deficiency Appropriation Act, fiscal year 1937".

Approved, May 28, 1937.

[CHAPTER 278]

May 28, 1937
[H. J. Res. 386]
[Pub. Res., No. 36]

JOINT RESOLUTION

Making an appropriation to enable the Social Security Board to make payments of grants to States for old-age assistance for the fiscal year 1937.

Social Security Board.
Appropriation for old-age assistance payments.
Availability.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $18,000,000, to continue available until June 30, 1938, to enable the Social Security Board to make payments of grants to States for old-age assistance, including the same objects specified under this head in the First Deficiency Appropriation Act, fiscal year 1936.

49 Stat. 1605.

Approved, May 28, 1937.

[CHAPTER 279]

May 28, 1937
[S. 2049]
[Public, No. 122]

AN ACT

To authorize the establishment of a naval air station on San Francisco Bay, California, and for other purposes.

San Francisco Bay, Calif.
Establishment of naval air station, authorized.
Site.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to establish a naval air station on San Francisco Bay, California, which shall be composed of Benton Field as transferred from the War Department to the Navy Department by Executive Order Numbered 7467, dated October 7, 1936, and land heretofore or hereafter acquired by the Navy Department under the provisions of the Act of June 24, 1936 (49 Stat. 1901).

49 Stat. 1901.

Construction, etc.

SEC. 2. The Secretary of the Navy is further authorized to construct, install, acquire, and equip at said naval air station such buildings and utilities, technical buildings and utilities, landing field and mats, and all such utilities and appurtenances as are necessary for the operation, maintenance, and repair of landplanes and seaplanes, including ammunition storage, fuel and oil storage, and distribution systems therefor, roads, walks, aprons, seaplane ramps, docks, runways, sewer, water, power, station and aerodrome lighting, telephone and signal communications, and other essentials, including the necessary bulkheading, dredging, grading, and filling, the removal and remodeling of existing structures and installations and buildings and accessories for quartering and subsisting officers and enlisted personnel.

Appropriation authorized.

SEC. 3. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this Act, but not over $13,500,000: *Provided*, That this authorization shall be in lieu of the authorization for the appropriation of not more than $15,000,000 contained in the Act of June 24, 1936 (49 Stat. 1901): *Provided further*, That until such time as the Secretary of the Navy shall receive, on behalf of the United States, title to the tract of land authorized to be acquired by the Act of June 24, 1936, free from all incumbrances, no money in excess of the authorized consideration for such tract shall be expended to carry out the purposes of this Act on the naval air station authorized to be established by this Act, or on any part thereof: *And provided further*, That any money heretofore or hereafter appropriated under the authority of said Act shall be available to carry out the purposes of this Act.

Provisos.
In lieu of former authorization
49 Stat. 1901.

Restriction on expenditure.

Availability of funds.

Approved, May 28, 1937.

[CHAPTER 280]

AN ACT

To reserve certain lands in the State of Utah for the Kanosh Band of Paiute Indians.

May 28, 1937
[H. R. 6249]
[Public, No. 123]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Kanosh Indian Reservation in Utah is hereby extended to include the west half of the northwest quarter of section 1, and the northeast quarter of section 22, township 23 south, range 5 west, Salt Lake meridian: *Provided*, That the Secretary of the Interior shall designate a stock driveway across said reservation not to exceed six hundred and sixty feet in width. The said driveway shall be staked and shall be used in accordance with rules and regulations which may be prescribed by the Secretary of the Interior. Valid rights in the above lands initiated prior to the approval hereof shall not be affected by this Act.

Kanosh Indian Reservation, Utah.
Area enlarged.

Proviso.
Stock driveway.

Prior rights not affected.

Approved, May 28, 1937.

[CHAPTER 281]

AN ACT

To reserve certain lands in the State of Utah for the Shivwitz Band of Paiute Indians.

May 28, 1937
[H. R. 6250]
[Public, No. 124]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Shivwitz Indian Reservation in Utah is hereby extended to include the south half of section 14, and the south half of section 15,

Shivwitz Indian Reservation, Utah.
Area enlarged.

Proviso. Stock driveway.

and section 16, township 41 south, range 17 west, Salt Lake meridian: *Provided*, That the Secretary of the Interior shall designate a stock driveway across said reservation not to exceed six hundred and sixty feet in width, from a point on the east line of section 23, township 41 south, range 17 west, in a northwesterly direction through Jacob's Twist to an exit through section 16, township 41 south, range 17 west, Salt Lake meridian. The said driveway shall be staked and shall be used in accordance with rules and regulations which may be prescribed by the Secretary of the Interior.

Prior rights not affected. Exchange of lands.

Valid rights in the above lands initiated prior to the approval hereof shall not be affected by this Act. Any lands not belonging to the United States within the described area may be exchanged for other lands outside said area under the terms and conditions of the Act of May 3, 1902 (32 Stat. L. 188), or the Act of June 28, 1934 (48 Stat. L. 1269), as amended, and any lands so acquired by the United States shall become a part of the said reservation.

32 Stat. 188; 48 Stat. 1269.

Approved, May 28, 1937.

[CHAPTER 282]

JOINT RESOLUTION

May 28, 1937
[H. J. Res. 332]
[Pub. Res., No. 37]

Providing for the importation of articles free from tariff or customs duty for the purpose of exhibition at Great Lakes Exposition to be held at Cleveland, Ohio, beginning in May 1937, and for other purposes.

Great Lakes Exposition, Cleveland, Ohio. Dutiable articles imported for exhibition, etc., admitted free, under regulations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the international exposition to be held at Cleveland, Ohio, beginning in May 1937, by Great Lakes Exposition, or for use in constructing, installing, or maintaining foreign buildings, or exhibits at the said exhibition, upon which articles there shall be a tariff or customs duty shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody

Sales permitted.

Provisos. Duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

Abandoned articles.

Transfer privileges.

or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That Great Lakes Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for articles imported under the provisions of this Act, shall be reimbursed by Great Lakes Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Exposition deemed sole consignee of merchandise.
Reimbursement of Federal expenses.

Deposit of receipts from, as refunds.
46 Stat. 741.
19 U. S. C. § 1524.

Approved, May 28, 1937.

[CHAPTER 283]

AN ACT

To reserve certain lands in the State of Utah for the Koosharem Band of Paiute Indians.

May 28, 1937
[H. R. 6252]
[Public, No. 125]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of the Koosharem Indian Reservation in Utah is hereby extended to include the east half of section 8, township 27 south, range 1 west, Salt Lake meridian. Valid rights in the above lands initiated prior to the approval hereof shall not be affected by this Act.

Koosharem Indian Reservation, Utah.
Area enlarged.

Prior rights not affected.

Approved, May 28, 1937.

[CHAPTER 284]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Potomac River at or near Dahlgren, Virginia.

May 29, 1937
[H. R. 4794]
[Public, No. 126]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Potomac River, at or near Dahlgren, Virginia, authorized to be built by the George Washington Memorial Bridge Public Corporation, its successors and assigns, by an Act of Congress approved August 30, 1935, are hereby extended one and three years, respectively, from the date of approval hereof.

Potomac River.
Time extended for bridging, at Dahlgren, Va.

49 Stat. 1056.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 29, 1937.

[CHAPTER 285]

AN ACT

To amend existing law to provide privilege of renewing expiring five-year level-premium term policies for another five-year period.

June 1, 1937
[H. R. 5478]
[Public, No. 127]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last proviso of the first paragraph of section 301, World War Veterans' Act,

World War Veterans' Act, amendment.

43 Stat. 1309; 47 Stat 334.
38 U. S C. § 512
Five-year level-premium term policies; renewals for further period
Renewal of expired policy.

1924, as amended (47 Stat. 334; U. S. C., title 38, sec. 512) is hereby amended to read as follows: "*Provided further*, That at the expiration of any five-year period a five-year level-premium term policy may be renewed for a second or third five-year period at the premium rate for the attained age without medical examination; and in case the five-year period of any such policy shall have expired between January 24, 1937, and the expiration of five months after the date of the enactment of this amendment to this amendatory proviso and the policy has not been continued in another form of Government insurance, such policy may be renewed as of the date of its expiration on the same conditions upon payment of the back premiums within five months after such date of enactment; and the Administrator of Veterans' Affairs shall cause notice to be mailed to the holder of any such policy of the provisions of this amendment to this amendatory proviso."

Notice to be given.

W. B. BANKHEAD
Speaker of the House of Representatives.

JNO. N. GARNER
Vice President of the United States and President of the Senate.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
June 1, 1937.

Certificate of the House of Representatives.

The House of Representatives having proceeded to reconsider the bill (H. R. 5478) entitled "An Act to amend existing law to provide privilege of renewing expiring five-year level-premium term policies for another five-year period," returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

SOUTH TRIMBLE
Clerk.

I certify that this Act originated in the House of Representatives.

SOUTH TRIMBLE
Clerk.

IN THE SENATE OF THE UNITED STATES,
June 1, 1937.

Certificate of the Senate.

The Senate having proceeded, in pursuance of the Constitution, to reconsider the bill (H. R. 5478), entitled "An Act to amend existing law to provide privilege of renewing expiring five-year level-premium term policies for another five-year period," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives to the Senate with the message of the President returning the bill.

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

Attest:

EDWIN A. HALSEY
Secretary.

[CHAPTER 286]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Indiana, and Owensboro, Kentucky.

June 2, 1937
[H. R. 4550]
[Public, No. 128]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Indiana, and Owensboro, Kentucky, authorized to be built by the Spencer County Bridge Commission, by an Act of Congress approved June 18, 1934, and extended one and three years, respectively, from June 18, 1936, by an Act of Congress approved April 10, 1936, is again extended one and three years, respectively, from June 18, 1937.

Ohio River.
Time extended for bridging, Rockport, Ind., to Owensboro, Ky.
48 Stat. 1016, 49 Stat. 36, 1199.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 2, 1937.

[CHAPTER 287]

AN ACT

To accept the cession by the State of Arkansas of jurisdiction over all lands now or hereafter included within the Hot Springs National Park, Arkansas, and for others [1] purposes.

June 2, 1937
[H. R. 4655]
[Public, No. 129]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of an Act of the Legislature of the State of Arkansas, approved March 25, 1933 (numbered 166), ceding to the United States jurisdiction over all lands now or hereafter included within the Hot Springs National Park, are hereby accepted, and the provisions of the Act approved April 20, 1904 (33 Stat. 187), as amended by the Acts of March 2, 1907 (34 Stat. 1218), and March 3, 1911 (36 Stat. 1086), relating to the Hot Springs Mountain Reservation, Arkansas, are hereby extended to all lands now or hereafter included within said park.

Hot Springs National Park, Ark.
Jurisdiction accepted.

33 Stat. 187; 34 Stat. 1218; 36 Stat. 1086.
16 U. S. C. § 376.

Approved, June 2, 1937.

[CHAPTER 288]

AN ACT

To declare the Benton Harbor Canal at and above the west line of Ninth Street, Benton Harbor, Michigan, a nonnavigable stream.

June 2, 1937
[H. R. 5177]
[Public, No. 130]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Benton Harbor Canal at and above the west line of Ninth Street, in the city of Benton Harbor and State of Michigan, be, and the same is hereby, declared to be not a navigable water of the United States within the meaning of the Constitution and laws of the United States.

Benton Harbor Canal.
Declared nonnavigable, Benton Harbor, Mich.

SEC. 2. That the project for the Benton Harbor Canal, authorized by the River and Harbor Act of June 14, 1880, insofar as said project relates to said canal at and above the west line of Ninth Street, in the city of Benton Harbor, Michigan, be, and the same is hereby, abandoned.

Improvement project abandoned.
21 Stat. 183.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 2, 1937.

[1] So in original.

[CHAPTER 289]

AN ACT

June 2, 1937
[H. R. 5468]
[Public, No. 131]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois.

Mississippi River
Time extended for bridging, Saint Louis, Mo., to East Saint Louis, Ill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois, authorized to be built by the city of East Saint Louis, Illinois, by an Act of Congress approved May 3, 1934, heretofore extended by Acts of Congress approved August 5, 1935 and May 1, 1936, are hereby further extended one and three years, respectively, from May 3, 1937.

48 Stat. 661; 49 Stat. 536, 1254.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 2, 1937.

[CHAPTER 290]

AN ACT

June 2, 1937
[H. R. 5579]
[Public, No. 132]

Granting the consent of Congress to the State of Mississippi to construct, maintain, and operate a free highway bridge across Pearl River at or near Jackson, in Hinds County, Mississippi.

Pearl River.
Mississippi may bridge, at Jackson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Mississippi to construct, maintain, and operate a free highway bridge and approaches thereto across Pearl River, at a point suitable to the interests of navigation at or near Jackson, in Hinds County, Mississippi, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable water", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
34 Stat. 84.
33 U. S. C. §§ 491–498.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 2, 1937.

[CHAPTER 291]

AN ACT

June 2, 1937
[H. R. 5595]
[Public, No. 133]

To extend the time for completing the construction of two bridges, one across a part of Lake Michigan at or near the entrance to the Chicago River, Illinois, and the other across the Michigan Canal or Ogden Slip, in city of Chicago, Illinois.

Lake Michigan.
Bridge construction; time extended.
Opposite mouth of Chicago River.
Ogden Slip, Chicago, Ill.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for completing the construction of two bridges, one across that part of Lake Michigan lying opposite the entrance to the Chicago River in Illinois and the other across the Michigan Canal known as Ogden Slip in the city of Chicago, Illinois, authorized to be built by the Chicago Park District (successor by operation of law to both the South Park Commissioners and the Commissioners of Lincoln Park), by an Act of Congress approved January 14, 1929, heretofore extended by Act of Congress approved February 14, 1933, is hereby further extended one year from January 14, 1937.

45 Stat. 1078; 47 Stat. 806.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 2, 1937.

[CHAPTER 292]

AN ACT

June 2, 1937
[H. R. 5694]
[Public, No 134]

To extend the times for commencing and completing the construction of certain bridges across the Monongahela, Allegheny, and Youghiogheny Rivers in the county of Allegheny, Pennsylvania.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of certain bridges, to wit:

Allegheny County, Pa., bridge construction.
Time extended, designated projects.

(a) Across the Monongahela River, at a point suitable to the interests of navigation, from Pittsburgh to Homestead, Pennsylvania, near to; and to replace, existing Brown's Bridge;

Monongahela River, Pittsburgh to Homestead.

(b) Across the Allegheny River, at a point suitable to the interests of navigation, from Pittsburgh to O'Hara Township, Pennsylvania, near dam numbered 2, to replace the existing Highland Park Bridge;

Allegheny River, Pittsburgh to O'Hara Township.

(c) Across the Monongahela River, at a point suitable to the interests of navigation, in the city of Pittsburgh, Pennsylvania, between the Smithfield Street and Point Bridges;

Monongahela River, at Pittsburgh.

(d) Across the Monongahela River, at a point suitable to the interests of navigation, from the Glenwood to the Hays sections of the city of Pittsburgh, Pennsylvania, to replace existing Glenwood Bridge;

(e) Across the Monongahela River, at a point suitable to the interests of navigation, from Dravosburg to McKeesport, Pennsylvania, to replace existing Dravosburg Bridge;

Dravosburg to McKeesport.

(f) Across the Youghiogheny River, at a point suitable to the interests of navigation, in the city of McKeesport, to replace existing Fifth Avenue Bridge;

Youghiogheny River at McKeesport.

(g) Across the Monongahela River, at a point suitable to the interests of navigation, from the Borough of Rankin to the Borough of Whitaker, Pennsylvania, to replace existing Rankin Bridge;

Monongahela River, Boroughs of Rankin and Whitaker.

authorized to be built by Allegheny County Authority and the county of Allegheny, Pennsylvania, or either of them, by an Act of Congress approved June 4, 1934, amended and supplemented by Acts of Congress approved August 21, 1935, and April 10, 1936, are hereby extended one and three years, respectively, from June 4, 1937.

48 Stat. 837; 49 Stat. 669, 1197.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 2, 1937.

[CHAPTER 293]

AN ACT

June 2, 1937
[H. R. 6866]
[Public, No. 135]

Authorizing the obligation of funds for work at Government-owned establishments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing contained in title VI, part II, of the Legislative Appropriation Act for the fiscal year 1933 (47 Stat., 417), as amended by section 8 of the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat., 1648), shall be construed as modifying or amending the provision in the Naval Appropriation Act for the fiscal year 1923 (42 Stat., 812), which reads as follows: "That all orders or contracts for work or material, under authorization of law heretofore or hereafter placed with Government-owned establishments, shall be considered as obligations in the same manner as provided for similar orders or contracts placed with private contractors, and appropriations for such

Government-owned establishments.
Obligation of funds for work at, authorized.
47 Stat. 417; 49 Stat. 1648.
42 Stat. 812.
Orders placed at, considered same as those placed with private contractors.
Availability of appropriations.

work or material shall remain available for payment therefor as in the case of orders or contracts placed with private contractors."

Approved, June 2, 1937.

[CHAPTER 295]

AN ACT

June 3, 1937
[H. R. 3473]
[Public, No. 136]

To authorize the Secretary of State to sell, for a price, transfer, and convey the title, rights, and interest of this Government in a lot situated at Sin Lu T'ou Jetty, Kulangsu, Amoy, China.

Amoy, China.
Sale, etc., of lot authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State is hereby authorized to sell, transfer, and convey all the title, rights, and interest of this Government in a foreshore lot, approximately one hundred feet long by one hundred feet wide, situated at Sin Lu T'ou Jetty, sometimes called "Lu Erh Chiao", Kulangsu, Amoy, China, for a price of not less than 1,000 yuan (Chinese dollars): *Provided*, That the net amount received from such sale remaining after the deduction of all necessary fees and expenses shall be covered into the Treasury of the United States as miscellaneous receipts.

Proviso.
Use of receipts.

Approved, June 3, 1937.

[CHAPTER 296]

AN ACT

June 3, 1937
[H. R. 5722]
[Public, No. 137]

To reenact and amend provisions of the Agricultural Adjustment Act, as amended, relating to marketing agreements and orders.

Agricultural Marketing Agreement Act of 1937.
Designated provisions of Agricultural Adjustment Act reenacted, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following provisions of the Agricultural Adjustment Act, as amended, not having been intended for the control of the production of agricultural commodities, and having been intended to be effective irrespective of the validity of any other provision of that Act are expressly affirmed and validated, and are reenacted without change except as provided in section 2:

7 U. S. C. § 601.
(a) Section 1 (relating to the declaration of emergency);

7 U. S. C., Supp II, § 602.
(b) Section 2 (relating to declaration of policy);

7 U. S. C. § 608a; Supp. II, § 608a.
(c) Section 8a (5), (6), (7), (8), and (9) (relating to violations and enforcement);

7 U. S. C., Supp. II, § 608b.
(d) Section 8b (relating to marketing agreements);

7 U. S. C., Supp. II, § 608c.
(e) Section 8c (relating to orders);

7 U. S. C., Supp. II, § 608d.
(f) Section 8d (relating to books and records);

7 U. S. C., Supp. II, § 608e.
(g) Section 8e (relating to determination of base period);

7 U. S. C. § 610; Supp. II, § 610.
7 U. S. C. § 612; Supp. II, § 612.
(h) Section 10 (a), (b) (2), (c), (f), (g), (h), and (i) (miscellaneous provisions);

(i) Section 12 (a) and (c) (relating to appropriation and expenses);

7 U. S. C. § 614.
(j) Section 14 (relating to separability);

12 U. S. C. § 781; Supp. II, § 781.
Post, p. 563.
(k) Section 22 (relating to imports).

SEC. 2. The following provisions, reenacted in section 1 of this Act, are amended as follows:

(a) Section 1 is amended to read as follows:

"DECLARATION

Declaration.

"It is hereby declared that the disruption of the orderly exchange of commodities in interstate commerce impairs the purchasing power of farmers and destroys the value of agricultural assets which

support the national credit structure and that these conditions affect transactions in agricultural commodities with a national public interest, and burden and obstruct the normal channels of interstate commerce."

(b) Section 2 (1) is amended by striking out "balance between the production and consumption of agricultural commodities, and such marketing conditions therefor, as will reestablish" and inserting in lieu thereof the following: "orderly marketing conditions for agricultural commodities in interstate commerce as will establish". Establishing, etc., orderly marketing conditions.

(c) Section 8a (6) is amended by striking out ", the provisions of this section, or of". District Courts; jurisdiction. 48 Stat. 675; 49 Stat. 762.

(d) Section 8c (5) (B) (d) is amended by striking out "production" and inserting in lieu thereof "marketings". Milk price adjustments 49 Stat. 755.

(e) Section 8c (6) (B) is amended by striking out "produced or"; and by striking out "production or sales of" and inserting in lieu thereof "quantities available for sale by". Allotments. 49 Stat. 756.

(f) Section 8c is amended by adding at the end thereof the following: Section added. 49 Stat. 761.

"MILK PRICES

"(18) The Secretary of Agriculture, prior to prescribing any term in any marketing agreement or order, or amendment thereto, relating to milk or its products, if such term is to fix minimum prices to be paid to producers or associations of producers, or prior to modifying the price fixed in any such term, shall ascertain, in accordance with section 2 and section 8e, the prices that will give such commodities a purchasing power equivalent to their purchasing power during the base period. The level of prices which it is declared to be the policy of Congress to establish in section 2 and section 8e shall, for the purposes of such agreement, order, or amendment, be such level as will reflect the price of feeds, the available supplies of feeds, and other economic conditions which affect market supply and demand, for milk or its products in the marketing area to which the contemplated marketing agreement, order, or amendment relates. Whenever the Secretary finds, upon the basis of the evidence adduced at the hearing required by section 8b or 8c, as the case may be, that the prices that will give such commodities a purchasing power equivalent to their purchasing power during the base period as determined pursuant to section 2 and section 8e are not reasonable in view of the price of feeds, the available supplies of feeds, and other economic conditions which affect market supply and demand for milk and its products in the marketing area to which the contemplated agreement, order, or amendment relates, he shall fix such prices as he finds will reflect such factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest. Thereafter, as the Secretary finds necessary on account of changed circumstances, he shall, after due notice and opportunity for hearing, make adjustments in such prices.

Milk prices.

48 Stat. 32; 49 Stat. 750, 762.

49 Stat. 752, 753.

Adjustments.

"PRODUCER REFERENDUM

"(19) For the purpose of ascertaining whether the issuance of an order is approved or favored by producers, as required under the applicable provisions of this title, the Secretary may conduct a referendum among producers. The requirements of approval or favor under any such provision shall be held to be complied with if, of the total number of producers, or the total volume of production, as the case may be, represented in such referendum, the percentage approving or favoring is equal to or in excess of the percentage required

Producer referendum.

Cooperative association representation.
49 Stat. 759.

under such provision. Nothing in this subsection shall be construed as limiting representation by cooperative associations as provided in subsection (12)."

Conversion factors; provision repealed.
48 Stat. 37.

(g) Section 10 (c) is amended by striking out ", including regulations establishing conversion factors for any commodity and article processed therefrom to determine the amount of tax imposed or refunds to be made with respect thereto".

Geographical application
48 Stat 37, 675.

(h) Section 10 (f) is amended by striking out the last sentence thereof.

(i) Section 10 is amended by adding at the end thereof the following new subsection:

"Interstate or foreign commerce" defined.

"(j) The term 'interstate or foreign commerce' means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession, or the District of Columbia.

Agricultural commodity, etc., marketing transaction.

For the purpose of this Act (but in nowise limiting the foregoing definition) a marketing transaction in respect to an agricultural commodity or the product thereof shall be considered in interstate or foreign commerce if such commodity or product is part of that current of interstate or foreign commerce usual in the handling of the commodity or product whereby they, or either of them, are sent from one State to end their transit, after purchase, in another, including all cases where purchase or sale is either for shipment to another State or for the processing within the State and the shipment outside the State of the products so processed. Agricultural commodities or products thereof normally in such current of interstate or foreign commerce shall not be considered out of such current through resort being had to any means or device intended to remove transactions in respect thereto from the provisions of this Act.

"State" construed.

As used herein, the word 'State' includes Territory, the District of Columbia, possession of the United States, and foreign nations."

Appropriations.
48 Stat. 528.

(j) Section 12 (a) is amended by striking out "and production adjustments".

Arbitration of milk disputes.

SEC. 3. (a) The Secretary of Agriculture, or such officer or employee of the Department of Agriculture as may be designated by him, upon written application of any cooperative association, incorporated or otherwise, which is in good faith owned or controlled by producers or organizations thereof, of milk or its products, and which is bona fide engaged in collective processing or preparing for market or handling or marketing (in the current of interstate or foreign commerce, as defined by paragraph (i) of section 2 of this Act), milk or its products, may mediate and, with the consent of all parties, shall arbitrate if the Secretary has reason to believe that the declared policy of the Agricultural Adjustment Act, as amended, would be effectuated thereby, bona fide disputes, between such associations and the purchasers or handlers or processors or distributors of milk or its products, as to terms and conditions of the sale of milk or its products. The power to arbitrate under this section shall apply only to such subjects of the term or condition in dispute as could be regulated under the provisions of the Agricultural Adjustment Act, as amended, relating to orders for milk and its products.

Conduct of meetings.

(b) Meetings held pursuant to this section shall be conducted subject to such rules and regulations as the Secretary may prescribe.

Approval of award.

(c) No award or agreement resulting from any such arbitration or mediation shall be effective unless and until approved by the Secretary of Agriculture, or such officer or employee of the Department

of Agriculture as may be designated by him, and shall not be approved if it permits any unlawful trade practice or any unfair method of competition.

(d) No meeting so held and no award or agreement so approved shall be deemed to be in violation of any of the antitrust laws of the United States.

Agreements, etc., not deemed violation of antitrust laws.

SEC. 4. Nothing in this Act shall be construed as invalidating any marketing agreement, license, or order, or any regulation relating to, or any provision of, or any act of the Secretary of Agriculture in connection with, any such agreement, license, or order which has been executed, issued, approved, or done under the Agricultural Adjustment Act, or any amendment thereof, but such marketing agreements, licenses, orders, regulations, provisions, and acts are hereby expressly ratified, legalized, and confirmed.

Agreements, orders, etc., under Agricultural Adjustment Act ratified.

SEC. 5. No processing taxes or compensating taxes shall be levied or collected under the Agricultural Adjustment Act, as amended. Except as provided in the preceding sentence, nothing in this Act shall be construed as affecting provisions of the Agricultural Adjustment Act, as amended, other than those enumerated in section 1. The provisions so enumerated shall apply in accordance with their terms (as amended by this Act) to the provisions of the Agricultural Adjustment Act, this Act, and other provisions of law to which they have been heretofore made applicable.

Agricultural Adjustment Act.
No processing, etc., taxes to be levied under.
Provisions affected.
Applicability.

SEC. 6. This Act may be cited as the "Agricultural Marketing Agreement Act of 1937".

Short title.

Approved, June 3, 1937.

[CHAPTER 297]

JOINT RESOLUTION

To authorize an appropriation for the expenses of participation by the United States in the Eleventh International Dairy Congress, Berlin, Germany, in 1937.

June 3, 1937
[H. J. Res. 193]
[Pub. Res., No. 38]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of defraying the expenses of participation by the Government of the United States in the Eleventh International Dairy Congress, to be held in Berlin, Germany, in 1937, an appropriation in the sum of $10,000, or so much thereof as may be necessary, is hereby authorized for personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended, stenographic reporting and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers and periodicals; official cards; printing and binding; entertainment; local transportation and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payment may have been made for any of the purposes herein specified.

Eleventh International Dairy Congress.
Appropriation authorized for participation expenses.
Post, p. 770.
Services in the District.
Contracts without advertising.
R. S. § 3709.
41 U. S. C. § 5.
Reimbursement of other appropriations.

SEC. 2. That the delegates shall make a report to Congress of the results and conclusions of the said dairy congress.

Report to Congress.

Approved, June 3, 1937.

[CHAPTER 303]

JOINT RESOLUTION

June 8, 1937
[H. J. Res 394]
[Pub. Res., No. 39]

Making an appropriation for expenses of the Marine Band in attending the United Confederate Veterans' Reunion at Jackson, Mississippi, in 1937.

Marine Band.
Appropriation for attendance, Confederate Veterans' Reunion, 1937.
Ante, p. 200.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for carrying out the provisions of the Act entitled "An Act to authorize the attendance of the Marine Band at the United Confederate Veterans' 1937 Reunion at Jackson, Mississippi, June 9, 10, 11, and 12, 1937", approved May 24, 1937, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,300.

Approved, June 8, 1937.

[CHAPTER 305]

AN ACT

June 9, 1937
[H. R 3874]
[Public, No 138]

To extend the times for commencing and completing the construction of a bridge and causeway across the water between the mainland, at or near Cedar Point, and Dauphin Island, Alabama.

Mobile Bay.
Time extended for bridging, Cedar Point to Dauphin Island, Ala.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge and causeway between the mainland, at or near Cedar Point, and Dauphin Island, Alabama, heretofore authorized to be built by Dauphin Island Railway and Harbor Company, its successors and assigns (Mobile County, Alabama, and Highway Bridge Commission, Incorporated, an Alabama corporation, transferees), as last extended by Public Law Numbered 427, Seventy-fourth Congress, approved January 27, 1936, are hereby extended one and three years, respectively, from the date of approval of this Act: *Provided*, That it shall not be lawful to commence the construction of said bridge until plans thereof shall again be submitted to and approved by the Chief of Engineers and by the Secretary of War.

49 Stat. 1104.

Proviso
Resubmission of plans.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 9, 1937.

[CHAPTER 306]

AN ACT

June 9, 1937
[H. R. 4706]
[Public, No. 139]

Authorizing the State Roads Commission of the State of Maryland and the State Highway Department of the State of Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Point of Rocks in Frederick County and a point near the south end of Loudoun County to take the place of a bridge destroyed by flood in 1936.

Potomac River.
Maryland and Virginia may bridge, Point of Rocks, Md., to Loudoun County, Va.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the State Roads Commission of the State of Maryland and the State Highway Department of the State of Virginia be, and are hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Potomac River, at a point suitable to the interests of navigation, at or near a point in the vicinity of Point of Rocks in Frederick County, Maryland, and a point near the south end of Loudoun County, Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.
33 U. S. C. §§ 491–498.

SEC. 2. There is hereby conferred upon the State Roads Commission of the State of Maryland and the State Highway Department of the State of Virginia all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Right to acquire real estate, etc., for location, etc.

Condemnation proceedings.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 9, 1937.

[CHAPTER 307]

AN ACT

Authorizing the county of Wahkiakum, a legal political subdivision of the State of Washington, to construct, maintain, and operate a free highway bridge across the Columbia River between Puget Island and the mainland, Cathlamet, State of Washington.

June 9, 1937
[H. R. 4801]
[Public, No. 140]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the county of Wahkiakum, a legal political subdivision of the State of Washington, its successors and assigns, to construct, maintain, and operate a free highway bridge and approaches thereto across the Columbia River between Puget Island and the mainland, Cathlamet, State of Washington, at a point suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in said Act.

Columbia River.
Wahkiakum County, Wash., may bridge, Puget Island to Cathlamet.

34 Stat. 84.
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 9, 1937.

[CHAPTER 308]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Mississippi River between Saint Louis, Missouri, and Stites, Illinois.

June 9, 1937
[H. R. 5467]
[Public, No. 141]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near a point on Broadway between Florida and Mullanphy Streets in the City of Saint Louis, Missouri, and a point opposite thereto, in the town of Stites, in the county of Saint Clair, State of Illinois, and connecting with Saint Clair Avenue extended in said town, authorized to be built by the county of Saint Clair, Illinois, by an Act of Congress approved August 30, 1935, heretofore extended by Act of Congress approved May 1, 1936, are hereby further extended one and three years, respectively, from August 30, 1937.

Mississippi River.
Time extended for bridging, Saint Louis, Mo., to Stites, Ill.

49 Stat. 1057, 1253.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 9, 1937.

[CHAPTER 309]

AN ACT

June 9, 1937
[H. R. 6293]
[Public, No. 142]

To adjust the rank of certain Coast Guard officers on the retired list.

Coast Guard.
Rank of certain retired officers.
42 Stat. 1130; 49 Stat. 1924.
14 U. S. C., Supp. II, § 161.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act of January 12, 1923 (42 Stat. 1130; U. S. C., 1934 edition, title 14, sec. 161), as amended by the Act of June 25, 1936 (49 Stat. 1924; U. S. C., 1934 edition, Supp. II, title 14, sec. 161), is hereby amended by striking out the first proviso in that section and inserting the following proviso in lieu thereof: "*Provided*, That any officer who has served or shall hereafter serve as commandant, if heretofore or hereafter retired, whether before or at any time after the termination of his service as commandant, shall, if receiving the pay of a rear admiral (upper half) at the termination of his service as commandant, be placed on the retired list with the rank and retired pay of a rear admiral (upper half), or, if receiving the pay of a rear admiral (lower half) at the termination of his service as commandant, shall be placed on the retired list with the rank and retired pay of a rear admiral (lower half), and that any officer whose term of service as commandant has expired may be appointed a captain and shall be an additional number in that grade, but, if not so appointed, he shall take the place on the lineal list in the grade that he would have obtained had he not served as commandant and be an additional number in such grade;".

Commandant; retirement, pay, etc.

Subsequent appointment as captain; grade, if not appointed.

Captains.
42 Stat. 1131; 44 Stat. 1261.
14 U. S. C. § 174.

SEC. 2. Section 3 of the Act of January 12, 1923 (42 Stat. 1131; U. S. C., 1934 edition, title 14, sec. 174), as amended by the Act of February 28, 1927 (44 Stat. 1261), is hereby amended by striking out so much of the second proviso in that section as follows the semicolon and inserting in lieu thereof the following: "and, in the case of a captain, the rank and retired pay of one grade above shall be the rank and retired pay of a rear admiral (lower half). Any officer of the Coast Guard now having the rank of commodore on the retired list shall hereafter have in lieu thereof the rank of a rear admiral (lower half), without any increase in pay by reason of such change in rank."

Grade above to be that of rear admiral (lower half).
Commodore, retired list; rank abolished.

Approved, June 9, 1937.

[CHAPTER 311]

AN ACT

June 10, 1937
[H. R. 4809]
[Public, No. 143]

To authorize the Works Progress Administration to lend or give World War relics and other property at Fort Eustis, Virginia, to the American Legion Museum at Newport News, Virginia.

American Legion Museum, Newport News, Va.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of the Works Progress Administration is hereby authorized, in his discretion, to lend or give any World War relics, museum pieces, quartermaster material, surgical or medical equipment, or other material, now located at Fort Eustis, Virginia, which is of a character appropriate for display in a museum and which is no longer required for Government use as determined by the Director of Procurement, to the American Legion Museum at Newport News, Virginia. The Administrator of the Works Progress Administration shall furnish to the Director of Procurement a list of all property lent by him pursuant to the provisions hereof. The Director of Procurement shall have custody of any such property which may hereafter be returned by the American Legion Museum, with authority to deal therewith as in the case of other surplus personal

Loan or gift of certain World War relics, etc., authorized.

List to be furnished.

Custody of returned property.

property in his custody. The Government shall be at no expense in connection with any such loan or gift, and such loan or gift shall be made subject to such rules and regulations as the Administrator of the Works Progress Administration shall prescribe.

No Federal expense.

Approved, June 10, 1937.

[CHAPTER 316]

JOINT RESOLUTION

June 11, 1937
[S. J. Res 155]
[Pub Res., No. 40]

To create a Joint Congressional Committee on Tax Evasion and Avoidance.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a joint congressional committee to be known as the Joint Committee on Tax Evasion and Avoidance (hereinafter referred to as the joint committee).

Joint Committee on Tax Evasion and Avoidance, establishment.
Post, p. 469

(b) The joint committee shall be composed of six Members of the Senate who are members of the Committee on Finance, appointed by the President of the Senate, and six members of the House of Representatives who are members of the Committee on Ways and Means, appointed by the Speaker of the House of Representatives. A vacancy in the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as the original selection.

Composition, appointment, etc.

Vacancies, effect of; filling.

SEC. 2. It shall be the duty of the joint committee to investigate the methods of evasion and avoidance of income, estate, and gift taxes, pointed out in the message of the President transmitted to Congress on June 1, 1937, and other methods of tax evasion and avoidance, and to report to the Senate and the House, at the earliest practicable date, and from time to time thereafter, but not later than February 1, 1938, its recommendations as to remedies for the evils disclosed by such investigation.

Duties prescribed.

Report, etc.

SEC. 3. (a) The joint committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to have such printing and binding done, and to make such expenditures, as it deems advisable. Subpenas shall be issued under the signature of the chairman of said joint committee, and shall be served by any person designated by him. Amounts appropriated for the expenses of the joint committee shall be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House. The provisions of sections 101 and 102 of the Revised Statutes shall apply in case of any failure of any witness to comply with any subpena, or to testify when summoned, under authority of this joint resolution.

Powers.

Taking testimony.

Subpenas.

Refusal to testify, etc.
R. S. §§ 101, 102.
2 U. S. C. §§ 191, 192.

(b) (1) The Secretary of the Treasury and any officer or employee of the Treasury Department, upon request from the joint committee, shall furnish such committee (at a public hearing or otherwise, as the joint committee, or a subcommittee thereof consisting of two or more members, may determine) with any data of any character contained in or shown by any return of income, estate, or gift tax.

Data to be furnished by Treasury Department.

(2) The joint committee shall have the right, acting directly as a committee, or by or through such examiners or agents as it may designate or appoint, to inspect any or all such returns at such times and in such manner as it may determine.

Inspection of returns of income, etc.

(3) The joint committee shall have the right to submit any relevant or useful information thus obtained to the Senate and the House of Representatives, and shall submit such information to the

Submission of information to designated Committees.

Reference to respective Houses

Restriction on publicity.

Committee on Ways and Means and the Committee on Finance. The Committee on Ways and Means or the Committee on Finance may submit such information to the House or to the Senate or to both the House and the Senate, as the case may be. The joint committee (but no subcommittee or member of the joint committee) shall have the right to make public any such information, in such cases and to such extent as it may deem advisable, but no such information shall be made public with respect to any particular taxpayer unless specifically authorized by the joint committee; but this sentence shall not apply to information made public through the medium of a public hearing as provided in paragraph (1) of this subsection.

Personal services.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, but the compensation so fixed shall not exceed the compensation fixed under the Classification Act of 1923, as amended, for comparable duties. The joint committee is authorized to utilize the services, information, facilities, and personnel of the Departments and agencies in the executive branch of the Government and of the Joint Committee on Internal Revenue Taxation.

5 U. S. C. §§ 661-674.

Utilization of other facilities, etc.

Delegation of authority.

SEC. 5. The joint committee may authorize any one or more persons to conduct any part of such investigation on behalf of the committee, and for such purpose any person so authorized may hold such hearings, and require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, and take such testimony, as the committee may authorize, but nothing in this section shall be construed as authorizing a public hearing. In any such case subpenas shall be issued under the signature of the chairman of the joint committee and shall be served by any person designated by him.

Duration.

SEC. 6. All authority conferred by this joint resolution shall expire on February 1, 1938.

Approved, June 11, 1937.

[CHAPTER 317]

June 11, 1937
[H. J. Res. 334]
[Pub. Res., No. 41]

JOINT RESOLUTION

To protect the copyrights and patents of foreign exhibitors at the New York World's Fair, to be held at New York City, New York, in 1939.

New York World's Fair, 1939.

Protection of copyrights and patents of foreign exhibitors

Branch copyright, etc., offices on grounds.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Librarian of Congress and the Commissioner of Patents are hereby authorized and directed to establish branch offices under the direction of the Register of Copyrights and the Commissioner of Patents, respectively, in suitable quarters on the grounds of the New York World's Fair, to be held at New York City, New York, under the direction of the New York World's Fair Corporation, Incorporated, a New York corporation, said quarters to be furnished free of charge by said corporation, said offices to be established at such time as may, upon sixty days' advance notice, in writing, to the Register of Copyrights and the Commissioner of Patents, respectively, be requested by said New York World's Fair Corporation, but not earlier than January 1, 1939, and to be maintained until the close to the general public of said exposition; and the proprietor of any foreign copyright, or any certificate of trade-mark registration, or letters patent of invention, design, or utility model issued by any foreign government protecting any trade mark, apparatus, device, machine, process,

Certificate of proprietorship to be issued.

method, composition of matter, design, or manufactured article imported for exhibition and exhibited at said fair may upon presentation of proof of such proprietorship, satisfactory to the Register of Copyrights or the Commissioner of Patents, as the case may be, obtain without charge and without prior examination as to novelty, a certificate from such branch office, which shall be prima facie evidence in the Federal courts of such proprietorship, the novelty of the subject matter covered by any such certificate to be determined by a Federal court in case an action or suit is brought based thereon; and said branch offices shall keep registers of all such certificates issued by them, which shall be open to public inspection.

Registers to be kept.

At the close of said New York World's Fair the register of certificates of the copyright registrations aforesaid shall be deposited in the Copyright Office in the Library of Congress at Washington, District of Columbia, and the register of all other certificates of registration aforesaid shall be deposited in the United States Patent Office at Washington, District of Columbia, and there preserved for future reference. Certified copies of any such certificates shall, upon request, be furnished by the Register of Copyrights or the Commissioner of Patents, as the case may be, either during or after said exposition, and at the rates charged by such officials for certified copies of other matter; and any such certified copies shall be admissible in evidence in lieu of the original certificates in any Federal court.

Deposit at close of Fair.

Certified copies of certificates.

SEC. 2. It shall be unlawful for any person without authority of the proprietor thereof to copy, republish, imitate, reproduce, or practice at any time during the period specified in section 6 hereof any subject matter protected by registration as aforesaid at either of the branch offices at said exposition which shall be imported for exhibition at said exposition, and there exhibited and which is substantially different in a copyright, trade mark, or patent sense, as the case may be, from anything publicly used, described in a printed publication or otherwise known in the United States of America prior to such registration at either of said branch offices as aforesaid; and any person who shall infringe upon the rights thus protected under this Act shall be liable—

Infringement of rights unlawful.

Liabilities.

(a) To an injunction restraining such infringement issued by any Federal court having jurisdiction of the defendant;

Injunction.

(b) To pay to the proprietor such damages as the proprietor may have suffered due to such infringement, as well as all the profits which the infringer may have made by reason of such infringement, and in proving profits the plaintiff shall be required to prove sales only and the defendant shall be required to prove every element of cost which he claims, or in lieu of actual damages and profits such damages as to the court shall appear to be just;

Pecuniary damages.

(c) To deliver upon an oath, to be impounded during the pendency of the Act, upon such terms and conditions as the court may prescribe, all articles found by the court after a preliminary hearing to infringe the rights herein protected; and

Delivery of articles that infringe.

(d) To deliver upon an oath, for destruction, all articles found by the court at final hearings to infringe the rights herein protected.

Destruction.

SEC. 3. Any person who willfully and for profit shall infringe any right protected under this Act, or who shall knowingly and willfully aid or abet such infringement, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not exceeding one year or by a fine of not less than $100 nor more than $1,000, or both, in the discretion of the court.

Infringement; penalty provisions.

Terms of protection.

SEC. 4. All the Acts, regulations, and provisions which apply to protecting copyrights, trade marks, designs, and patents for inventions or discoveries not inconsistent with the provisions of this Act shall apply to certificates issued pursuant to this Act, but no notice of copyright on the work shall be required for protection hereunder.

Copyright, etc., actions.

SEC. 5. Nothing contained in this Act shall bar or prevent the proprietor of the subject matter covered by any certificate issued pursuant to this Act from obtaining protection for such subject matter under the provisions of the copyright, trade mark, or patent laws of the United States of America, as the case may be, in force prior hereto, and upon making application and complying with the provisions prescribed by such laws; and nothing contained in this Act shall prevent, lessen, impeach, or avoid any remedy at law or inequity [1] under any certificate of copyright registration, certificate of trade-mark registration, or letters patent for inventions or discoveries or designs issued under the copyright, trade mark, or patent laws of the United States of America, as the case may be, in force prior hereto, and which any owner thereof and of a certificate issued thereon pursuant to this Act might have had if this Act had not been passed, but such owner shall not twice recover the damages he has sustained or the profit made by reason of any infringement thereof.

Duration of protection.

SEC. 6. The rights protected under the provisions of this Act as to any copyright, trade mark, apparatus, device, machine, process, method, composition of matter, design, or manufactured article imported for exhibition at said New York World's Fair shall begin on the date the same is placed on exhibition at said exposition and shall continue for a period of six months from the date of the closing to the general public of said exposition.

Reimbursement of incurred expenses.

SEC. 7. All necessary expenses incurred by the United States in carrying out the provisions of this Act shall be reimbursed to the Government of the United States by the New York World's Fair, under regulations to be prescribed by the Librarian of Congress and the Commissioner of Patents, respectively; and receipts from such reimbursements shall be deposited as refunds to the appropriations from which such expenses were paid.

Approved, June 11, 1937.

[CHAPTER 327]

AN ACT

June 11, 1937
[H. R. 5136]
[Public, No. 144]

To authorize the acquisition of land for cemeterial purposes in the vicinity of San Francisco, California.

San Francisco, Calif.
Acquisition of land near, for cemeterial purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to acquire by purchase, condemnation, or otherwise, such suitable lands in the vicinity of San Francisco, California, as in his judgment are required for the enlargement of existing national cemetery facilities, and the sum of $200,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for this purpose from any funds in the Treasury not otherwise appropriated, which sum shall remain available until expended.

Appropriation authorized.

Approved, June 11, 1937.

[1] So in original.

[CHAPTER 335]

AN ACT

June 14, 1937
[S. 790]
[Public, No. 145]

To continue in effect until June 30, 1939, the Act entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", approved February 22, 1935.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 of the Act entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", approved February 22, 1935, is amended by striking out "June 16, 1937" and inserting in lieu thereof "June 30, 1939".

Interstate, etc., shipment of petroleum products
Existing provisions continued.
49 Stat. 33.
15 U. S. C., Supp. II, § 715l.

Approved, June 14, 1937.

[CHAPTER 336]

AN ACT

June 14, 1937
[S. 709]
[Public, No. 146]

To amend the Act entitled "An Act to incorporate the National Education Association of the United States", approved June 30, 1906, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to incorporate the National Education Association of the United States", approved June 30, 1906, as amended, is amended to read as follows:

National Education Association of the United States; charter amendments.
34 Stat. 805.

"SEC. 5. The qualifications, classifications, rights, and obligations of members of said corporation shall be prescribed in the bylaws of the corporation."

Membership; qualifications, etc., as prescribed in bylaws.

SEC. 2. Section 6 of such Act is amended to read as follows:

34 Stat. 805.

"SEC. 6. (a) The officers of the corporation shall be a president, one or more vice presidents, a secretary, a treasurer, a board of directors, an executive committee, a board of trustees, and such boards, councils, committees, and other officers as shall be prescribed in the bylaws.

Officers.

"(b) Except as limited by this Act, as amended, the bylaws of the corporation shall prescribe the powers, duties, terms of office, and the manner of election or appointment of the said officers, boards, councils, and committees; and the said corporation may by its bylaws make other and different provisions as to the numbers and names of the officers, boards, councils, and committees."

Powers, duties, etc.

Numbers and names of officers, boards, etc.

SEC. 3. Section 7 of such Act is amended to read as follows:

34 Stat. 806.

"SEC. 7. (a) The board of trustees shall consist of four members elected by the board of directors for a term of four years, and the president of the association, who shall be a member ex officio during his term of office. At the first meeting of the board of directors held during the annual meeting of the association at which they were elected, they shall elect one trustee for the term of four years. All vacancies occurring in said board of trustees, whether by resignation or otherwise, shall be filled by the board of directors for the unexpired term; and the absence of a trustee from two successive annual meetings of the board shall forfeit his membership.

Board of trustees.

Vacancies.

"(b) The invested fund now known as the 'Permanent fund of the National Educational Association', when transferred to the corporation hereby created shall be held by such corporation as a permanent fund and shall be in charge of the board of trustees, who shall provide for the safekeeping and investment of such fund, and of all other funds which the corporation may receive by donation, bequest, or

Invested fund.

Restriction on expenditure.

devise. No part of the principal of such permanent fund or its accretions shall be expended, except by a two-thirds vote of the representative assembly, after the proposed expenditure has been approved by the board of trustees and the board of directors, and after printed notice of the proposed expenditure has been printed in the Journal of the National Education Association at least two months prior to the meeting of the representative assembly.

Use of income from, limited.

"(c) The income of the permanent fund shall be used only to meet the cost of maintaining the organization of the association and of publishing its annual volume of Proceedings, unless the terms of the donation, bequest, or devise shall otherwise specify, or the bylaws of the corporation shall otherwise provide.

Secretary.

"(d) The board of trustees shall elect the secretary of the association who shall be secretary of the executive committee, and shall fix the compensation and the term of his office for a period of not to exceed four years."

Meetings; provision amended.
34 Stat. 807.

SEC. 4. Section 8 of such Act is amended by striking out in the proviso thereof the following: "by the Board of Directors, or otherwise".

Approved, June 14, 1937.

[CHAPTER 337]

June 14, 1937
[H. R. 1502]
[Public, No. 147]

AN ACT

To amend Public Law Numbered 626, Seventy-fourth Congress.

Municipal corporation bonds, Alaska.
49 Stat. 1388.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 2 of Public Law Numbered 626, Seventy-fourth Congress, the same being an Act entitled "An Act to authorize municipal corporations in the Territory of Alaska to incur bonded indebtedness, and for other purposes", approved May 28, 1936, is amended to read as follows:

Submission and approval, provisions modified.

"No bonded indebtedness shall be incurred by any municipal corporation in the Territory of Alaska unless the proposal to incur such indebtedness be first submitted to the qualified electors of such municipal corporation whose names appear on the last tax-assessment roll or record of such municipality for purposes of municipal taxation, at an election called for such purpose, and not less than 65 per centum of the votes cast at such election shall be in favor thereof."

Approved, June 14, 1937.

[CHAPTER 338]

June 14, 1937
[H. J. Res. 350]
[Pub. Res., No. 42]

JOINT RESOLUTION

Authorizing a modification in the existing project for the improvement of the Illinois Waterway, Illinois, and the abandonment of a portion of the Calumet River.

Illinois Waterway, Ill.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the existing project for the improvement of the Illinois Waterway, Illinois, is hereby modified in accordance with the recommendation of the Chief of Engineers submitted in Rivers and Harbors Committee Document Numbered 19, Seventy-fifth Congress, first session.

Project for improvement modified.

Calumet River. Designated portion, in Chicago, declared nonnavigable.

SEC. 2. That the portion of the Calumet River, in the city of Chicago, County of Cook, State of Illinois, lying between the intersections of this river with the two lines described below, be declared by Congress to be a nonnavigable stream within the meaning of the Constitution and laws of the United States:

Description.

Beginning at a point on the south line of the north half of section 36, township 37 north, range 14 east, of the third principal meridian,

one thousand eight hundred and seventy-three and seven-hundredths feet west of the east line of said section; thence northwesterly on a straight line to a point three thousand two hundred and eighty feet west of the east line and seven hundred and eighty-five feet south of the north line of said section; and

Beginning at a point five hundred and eighty-five feet east of the west line and seven hundred and thirty-two feet north of the south line of section 31, township 37 north, range 15 east, of the third principal meridian; thence north forty-six degrees and thirty minutes east along a straight line to the easterly water's edge of said river.

Amendment.

SEC. 3. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, June 14, 1937.

[CHAPTER 348]

AN ACT

June 15, 1937
[S. 1120]
[Public, No. 148]

Authorizing an appropriation for the creation of a memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the United States ship Tulip near Saint Inigoes Bay, Maryland, on November 11, 1864, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of $2,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Navy for the erection of a suitable memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the United States ship Tulip on November 11, 1864, such memorial to be erected on the site of the interment of such officers and men near Saint Inigoes Bay, Maryland, and for the acquisition of the land constituting said site.

United States ship Tulip.
Sum authorized for memorial to officers, etc., Saint Inigoes Bay, Md.
Post, p. 767.

Site.

Approved, June 15, 1937.

[CHAPTER 349]

AN ACT

June 15, 1937
[S. 1967]
[Public, No. 149]

To authorize the Department of Labor to continue to make special statistical studies upon payment of the cost thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the Department of Labor to make special statistical studies upon payment of the cost thereof, and for other purposes", approved April 13, 1934 (48 Stat. 582), as amended by the Act approved April 11, 1935 (49 Stat. 154), and the authority therein conferred shall be, and hereby is, extended until April 13, 1939.

Department of Labor.
Special statistical studies by, continued.

48 Stat. 582; 49 Stat. 154.

Approved, June 15, 1937.

[CHAPTER 350]

AN ACT

June 15, 1937
[H. R. 3031]
[Public, No. 150]

To provide for the establishment of Coast Guard stations along the Maine coast.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station on Schoodic Peninsula, and a Coast Guard station at or near Isle au Haut, on the coast of Maine, at such points as the Commandant of the Coast Guard may recommend.

Maine coast.
Establishment of Coast Guard stations authorized.

Approved, June 15, 1937.

[CHAPTER 351]

AN ACT

June 15, 1937
[H. R. 3411]
[Public, No 151]

To amend section 112 of the Judicial Code, to provide for the inclusion of Whitman County, Washington, in the northern division of the eastern district of Washington.

Washington eastern judicial district. Whitman County transferred to northern division. 28 U. S. C. § 193.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 112 of the Judicial Code (U. S. C., 1934 ed., title 28, sec. 193) is amended to read as follows: "The eastern district shall include the territory embraced on the first day of July, nineteen hundred and ten, in the counties of Spokane, Stevens, Ferry, Okanogan, Chelan, Grant, Douglas, Lincoln, Adams, and Whitman, with the waters thereof, including all Indian reservations within said counties, which shall constitute the northern division; also the territory embraced on the date last mentioned in the counties of Asotin, Garfield, Columbia, Franklin, Walla Walla, Benton, Klickitat, Kittitas, and Yakima with the waters thereof, including all Indian reservations within said counties, which shall constitute the southern division of said district."

Indian reservations within, included.

Approved, June 15, 1937.

[CHAPTER 352]

AN ACT

June 15, 1937
[H. R. 4893]
[Public, No. 152]

Authorizing the Secretary of the Treasury to establish a Coast Guard air station at the San Francisco Airport; to provide for quick rescue facilities on the San Francisco Bay; to strengthen the Immigration and Customs Service patrol; and for other purposes.

San Francisco Bay. Acquisition of site for establishing Coast Guard air station, west shore of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to acquire in behalf of the United States, by donation a tract of land situated in the San Francisco Airport on the west shore of San Francisco Bay, twelve miles south of San Francisco, and sufficient for the construction thereon of a Coast Guard air station.

Construction, etc., of requisite facilities and accessories.

SEC. 2. The Secretary of the Treasury is further authorized to construct, install, purchase, and equip at said Coast Guard air station such buildings, hangars, ramps, piers, bulkheads, dredging, filling and grading, and such other facilities and accessories as, in the opinion of the Secretary of the Treasury, may be required for the construction, operation, maintenance, and repair of a Coast Guard air station.

Approved, June 15, 1937.

[CHAPTER 353]

JOINT RESOLUTION

June 15, 1937
[S. J. Res. 56]
[Pub. Res., No. 43]

Authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, District of Columbia.

Albert Gallatin statue, Washington, D. C. Selection of site and erection of pedestal for, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That authority is hereby granted to any association organized within two years from date of the approval of this resolution for that purpose to erect a statue of Albert Gallatin, Secretary of the Treasury from May 14, 1801, to February 9, 1814, opposite the west entrance of the Treasury Building in the city of Washington within the grounds occupied by such building, or at such other place within such grounds as may be designated by the Fine Arts Commission, subject to the approval of the

Joint Committee on the Library, the model of the statue so to be erected and the pedestal thereof to be first approved by the said Commission and by the Joint Committee on the Library, the same to be presented by such association to the people of the United States.

Approval required.

SEC. 2. That for the preparation of the site and the erection of a pedestal upon which to place the said statue, under the direction of the Secretary of the Treasury, the sum of $10,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated.

Appropriation authorized.

Approved, June 15, 1937.

[CHAPTER 359]

AN ACT

Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1938, and for other purposes.

June 16, 1937
[H. R. 5779]
[Public, No. 153]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1938, namely:

Appropriations for Departments of State and Justice, the Judiciary, and Departments of Commerce and Labor, fiscal year 1938.

TITLE I—DEPARTMENT OF STATE

Department of State.

OFFICE OF THE SECRETARY OF STATE

Secretary's office.

Salaries: For Secretary of State; Under Secretary of State, $10,000; and other personal services in the District of Columbia, including temporary employees, and not to exceed $6,500 for employees engaged on piecework at rates to be fixed by the Secretary of State; $2,220,480, of which amount not to exceed $265,540 may be expended by the Secretary of State without regard to civil-service laws and regulations or the Classification Act of 1923, as amended: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the four Assistant Secretaries of State and the legal adviser of the Department of State, the Assistant to the Attorney General, the Assistant Solicitor General, and six Assistant Attorneys General, the Assistant Secretaries of Commerce, the Assistant Secretary and the Second Assistant Secretary of Labor, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or

Secretary, Under Secretary, and office personnel.

Temporary and piecework employees.

Expenditure without regard to civil-service and Classification Acts.
5 U. S. C. §§ 661–674.

Provisos.
Salaries limited to average rates under Classification Act; exceptions.

If only one position in grade.

Advances in unusually meritorious cases.

Restriction not applicable to clerical-mechanical service.

No reduction in fixed salaries.
5 U. S. C. § 666.

Transfers without reduction.

Higher salary rates permitted.

If only one position in a grade.

other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

CONTINGENT EXPENSES, DEPARTMENT OF STATE

Contingent and miscellaneous expenses
Post, p. 768.

Books, periodicals, etc.

Vehicles.

Attendance at meetings, etc.

Refund of passport fees erroneously charged.

41 Stat. 750; 44 Stat. 887.
22 U. S. C. §§ 214, 214a.

Proviso.
Statement of expenditures in Budget.

For contingent and miscellaneous expenses, including stationery, furniture, fixtures; typewriters, adding machines, and other labor-saving devices, including their exchange, not exceeding $7,500; repairs and materials for repairs; purchase and exchange of books, maps, and periodicals, domestic and foreign, and when authorized by the Secretary of State for dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding $8,000; newspapers not exceeding $1,500; not to exceed $1,000 for teletype rentals and tolls; maintenance, repair, and storage of motor-propelled vehicles, to be used only for official purposes (one for the Secretary of State and two for dispatching mail, and one motorcycle for the general use of the department); automobile mail wagons, including storage, repair, and exchange of same; street-car fare not exceeding $100; traveling expenses, including not to exceed $2,000 for expenses of attendance at meetings concerned with the work of the Department of State when authorized by the Secretary of State; refund of fees erroneously charged and paid for the issue of passports to persons who are exempted from the payment of such fee by section 1 of the Act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, approved June 4, 1920 (U. S. C., title 22, secs. 214, 214a); the examination of estimates of appropriations in the field; and other miscellaneous items (not exceeding $50 for any one item) not included in the foregoing, $78,410: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

PRINTING AND BINDING

Printing and binding.

For all printing and binding in the Department of State, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $146,300.

PASSPORT AGENCIES

Passport agencies.

For salaries and expenses of maintenance, rent, cost of insurance covering shipments of money by messenger, registered mail, or otherwise, and traveling expenses not to exceed $500, for not to exceed five passport agencies, $59,480, of which $1,000 shall be available immediately.

Official papers of the Territories.

COLLECTING AND EDITING OFFICIAL PAPERS OF TERRITORIES OF THE UNITED STATES

Collecting, etc., for publication.

Printing and binding.
5 U. S. C. §§ 168-168b.
Proviso.
Limitation on number of copies to be printed; distribution.

For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United States, including personal services in the District of Columbia and elsewhere, printing and binding, and contingent and traveling expenses, as provided by the Act approved February 28, 1929 (U. S. C., title 5, sec. 168–168b), $24,800: *Provided*, That the total number of copies of any volume to be printed and bound for congressional allocation shall not exceed one thousand two hundred copies, which shall be

distributed by the Superintendent of Documents under such rules and regulations as may be authorized and directed by the Joint Committee on Printing.

PROMOTION OF FOREIGN TRADE

Promotion of foreign trade.

For the purpose of carrying into effect the provisions of section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934 (48 Stat. 945), as amended, including personal services without regard to civil-service laws and regulations or the Classification Act of 1923, as amended; stenographic reporting services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); contingent expenses; printing and binding; traveling expenses; and such other expenses as the President may deem necessary, $20,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1937.

Expenses, negotiating agreements.
48 Stat. 945.
19 U. S. C. § 1354.
Personal services.
5 U. S. C. §§ 661-674.

Contract services.
R. S. § 3709.
41 U. S. C. § 5.

Balance reappropriated.

FOREIGN INTERCOURSE

Foreign intercourse.

AMBASSADORS AND MINISTERS

Salaries.
Ambassadors.
Post, p. 769.

Ambassadors Extraordinary and Plenipotentiary to Argentina, Brazil, Chile, China, Cuba, France, Germany, Great Britain, Italy, Japan, Mexico, Peru, Poland, Spain, Turkey, and Union of Soviet Socialist Republics, at $17,500 each;

Ambassador Extraordinary and Plenipotentiary to Belgium and Envoy Extraordinary and Minister Plenipotentiary to Luxemburg, $17,500;

Ministers.

Envoy Extraordinary and Minister Plenipotentiary to the Netherlands, $12,000;

Envoys Extraordinary and Ministers Plenipotentiary to Albania, Austria, Bolivia, Bulgaria, Czechoslovakia, Colombia, Costa Rica, Denmark, Dominican Republic, Dominion of Canada, Ecuador, Egypt, Finland, Greece, Guatemala, Haiti, Honduras, Hungary, Iran, Irish Free State, Liberia, Nicaragua, Norway, Panama, Paraguay, Portugal, Rumania, Salvador, Siam, Union of South Africa, Sweden, Switzerland, Uruguay, Venezuela, and Yugoslavia, at $10,000 each; and to Estonia, Latvia, and Lithuania, $10,000;

In all, not to exceed $640,000:

Proviso.
Salary restriction.

Provided, That no salary herein appropriated shall be paid to any official receiving any other salary from the United States Government.

SALARIES OF FOREIGN SERVICE OFFICERS

Foreign Service officers.

Salaries.
46 Stat. 1207.
22 U. S. C. §§ 3, 3a.

For salaries of Foreign Service officers as provided in the Act approved February 23, 1931 (U. S. C., title 22, secs. 3, 3a); salaries of Ambassadors, Ministers, consuls, vice consuls, and other officers of the United States for the period actually and necessarily occupied in receiving instructions and in making transits to and from their posts, and while awaiting recognition and authority to act in pursuance with the provisions of section 1740 of the Revised Statutes (U. S. C., title 22, sec. 121); and salaries of Foreign Service officers or vice consuls while acting as Chargés d'Affaires ad interim or while in charge of a consulate general or consulate during the absence of the principal officer; $3,424,500.

Instruction and transit pay.

R. S. § 1740.
22 U. S. C. § 121.
Chargés d'Affaires ad interim.

TRANSPORTATION OF FOREIGN SERVICE OFFICERS

Traveling expenses.

To pay the traveling expenses, including travel by airplane when specifically authorized by the Secretary of State, of Diplomatic,

Consular, and Foreign Service officers, and other employees of the Foreign Service, including Foreign Service inspectors, and under such regulations as the Secretary of State may prescribe, of their families and expenses of transportation of effects, in going to and returning from their posts, including not to exceed $110,000 for expenses incurred in connection with leaves of absence, and of the preparation and transportation of the remains of those officers and said employees of the Foreign Service, who have died or may die abroad or in transit while in the discharge of their official duties, to their former homes in this country or to a place not more distant for interment and for the ordinary expenses of such interment, and also for payment under the provisions of section 1749 of the Revised Statutes (U. S. C., title 22, sec. 130) of allowances to the widows or heirs at law of Diplomatic, Consular, and Foreign Service officers of the United States dying in foreign countries in the discharge of their duties, $610,000, of which amount $53,300 shall be immediately available: *Provided*, That this appropriation shall be available also for the authorized subsistence expenses of Consular and Foreign Service officers while on temporary detail under commission.

Leaves of absence.
Bringing home remains of officers, etc., dying abroad.

Allowances to widows, etc.
R. S. § 1749.
22 U. S. C. § 130.

Proviso.
Subsistence on temporary detail.

ALLOWANCES FOR RENT, HEAT, FUEL, AND LIGHT, FOREIGN SERVICE

Rent, heat, fuel, and light allowances

For offices and grounds.
46 Stat. 818.
5 U. S. C. § 118a.

Living quarters.

Provisos.
Rent payment in advance.
Leases.

Allowances for quarters limited.

Custodial, etc., service; restriction.
Post, pp. 265, 266.

For rent, heat, fuel, and light for the Foreign Service for offices and grounds, and, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), for living quarters and not to exceed $1,140,000 for allowances for living quarters, including heat, fuel, and light, $2,000,000: *Provided*, That payment for rent may be made in advance: *Provided further*, That the Secretary of State may enter into leases for such offices, grounds, and living quarters for periods not exceeding ten years: *Provided further*, That no part of this appropriation shall be used for allowances for living quarters, including heat, fuel, and light, in an amount exceeding $3,000 for an ambassador, minister, or chargé d'affaires, and not exceeding $1,700 for any other Foreign Service officer: *Provided further*, That under this appropriation and the appropriations herein for "Contingent expenses, Foreign Service", and "Miscellaneous salaries and allowances, Foreign Service", not more than $5,000 shall be expended for custodial service, heat, fuel, and light for each ambassador or minister occupying a Government-owned building for residence or residence and office purposes, and not more than $1,700 for such purposes in the case of any other Foreign Service officer, and during the incumbency of a chargé d'affaires the limitation on such expenditures shall be the same as for the occupancy by the principal officer.

COST OF LIVING ALLOWANCE, FOREIGN SERVICE OFFICERS

Cost of living allowance.
46 Stat. 1207, 1209.
22 U. S. C. §§ 12, 23c.

Proviso.
Regulation of expenditure.

To carry out the provisions of the Act approved February 23, 1931 (U. S. C., title 22, secs. 12, 23c), relating to allowances and additional compensation to Diplomatic, Consular, and Foreign Service officers and clerks when such allowances and additional compensation are necessary to enable such officers and clerks to carry on their work efficiently: *Provided*, That such allowances and additional compensation shall be granted only in the discretion of the President, and under such regulations as he may prescribe, $280,000.

REPRESENTATION ALLOWANCES

Representation allowances.
46 Stat. 1209.
22 U. S. C. § 12.

For representation allowances as authorized by the Act approved February 23, 1931 (U. S. C., title 22, sec. 12), $125,000.

FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For financing the liability of the United States, created by the Act approved February 23, 1931 (U. S. C., title 22, sec. 21), $188,000, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund."

Foreign Service retirement, etc., fund.
Federal contribution.
46 Stat. 1211.
22 U. S. C. § 21.

SALARIES OF CLERKS IN THE FOREIGN SERVICE

For salaries of clerks in the Foreign Service, as provided in the Act approved February 23, 1931 (U. S. C., title 22, sec. 23a), including salaries during transit to and from homes in the United States upon the beginning and after termination of service $2,305,000.

Clerks in Foreign Service.
Salaries.
46 Stat 1207.
22 U S C. § 23a.

MISCELLANEOUS SALARIES AND ALLOWANCES, FOREIGN SERVICE

For salaries or compensation of kavasses, guards, dragomans, porters, interpreters, prison keepers, translators, archive collators, Chinese writers, messengers, couriers, telephone operators, supervisors of construction, and custodial and operating force for maintenance and operation of Government-owned and leased diplomatic and consular properties in foreign countries; compensation of agents and employees of dispatch agencies at London, New York, San Francisco, Seattle, and New Orleans, including salaries during transit to and from their homes in the United States upon the beginning and after termination of service in foreign countries; operation of motor-propelled and other passenger- and non-passenger-carrying vehicles; for allowances to consular officers, who are paid in whole or in part by fees, for services necessarily rendered to American vessels and seamen, as provided in the Act of June 26, 1884 (U. S. C., title 22, sec. 89; title 46, sec. 101); and such other miscellaneous personal services as the President may deem necessary, $657,000: *Provided*, That no part of this appropriation shall be expended for salaries or wages of persons not American citizens performing clerical services (except interpreters, translators, and messengers), whether officially designated as clerks or not, in any foreign mission: *Provided further*, That the Secretary of the Navy is authorized, upon request by the Secretary of State, to assign enlisted men of the Navy and Marine Corps to serve as custodians, under the immediate supervision of the Secretary of State or the chief of mission, whichever the Secretary of State shall direct, at embassies, legations, or consulates of the United States located in foreign countries.

Miscellaneous salaries and allowances.

Dispatch agencies.

Salaries during transit.

Vehicles.

Services to American seamen, etc.
23 Stat. 56.
22 U. S. C. §89; 46 U. S. C. § 101.

Provisos.
Citizenship requirements.

Naval assignments as custodians.

CONTINGENT EXPENSES, FOREIGN SERVICE

For stationery; blanks; record and other books; seals; presses; flags; signs; repairs and any alterations; repairs, preservation, and maintenance of Government-owned diplomatic and consular properties in foreign countries, including water, materials, supplies, tools, seeds, plants, shrubs, and similar objects; newspapers (foreign and domestic); freight; postage; telegrams; advertising; ice and drinking water for office purposes; purchase (at not to exceed $750 for any one automobile), maintenance, and hire of motor-propelled or horse-drawn passenger-carrying vehicles, and purchase, maintenance, and hire of other passenger-carrying vehicles; funds for establishment and maintenance of commissary service; uniforms; furniture, household furniture and furnishings, except as provided by the Act of May 7, 1926, as amended, for Government-owned or rented buildings, when, in the judgment of the Secretary of State, it would be in the public interest to do so, not to exceed $135,500; typewriters and

Contingent expenses, Foreign Service.

Vehicles.

Government buildings abroad.
44 Stat. 403.
22 U. S. C. §§ 292-299.

exchange of same; maintenance and rental of launch for embassy in Turkey, not exceeding $3,500, including personnel for operation; rent and other expenses for dispatch agencies at London, New York, San Francisco, Seattle, and New Orleans; traveling expenses, including attendance at trade and other conferences or congresses under orders of the Secretary of State as authorized by the Act approved February 23, 1931 (U. S. C., title 22, sec. 16); loss by exchange; payment in advance for telephone and other similar services, expenses of vice consulates and consular agencies for any of the foregoing objects; allowances for special instruction, education, and individual training of Foreign Service officers at home and abroad, not to exceed $10,000; cost, not exceeding $500 per annum each, of the tuition of Foreign Service officers assigned for the study of the languages of Asia and eastern Europe; for relief, protection, and burial of American seamen in foreign countries, in the Panama Canal Zone, and in the Philippine Islands, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, in Puerto Rico, and in the Virgin Islands, and for expenses which may be incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck or other catastrophe at sea; for expenses of maintaining in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat institutions for incarcerating American convicts and persons declared insane by any consular court, rent of quarters for prisons, ice and drinking water for prison purposes, and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane by any consular court in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat; for every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime as authorized by section 5275 of the Revised Statutes (U. S. C., title 18, sec. 659); and such other miscellaneous expenses as the President may deem necessary; $1,252,000, of which amount not to exceed $42,000 shall be available for remodeling and altering, including equipment, of the United States Legation building in Prague, Czechoslovakia: *Provided*, That this appropriation shall be available for reimbursement of appropriations for the Navy Department, in an amount not to exceed $35,000, for materials, supplies, equipment, and services furnished by the Navy Department, including pay, subsistence, allowances, and transportation of enlisted men of the Navy and Marine Corps who may be assigned by the Secretary of the Navy, upon request of the Secretary of State, to embassies, legations, or consular offices of the United States located in foreign countries.

Dispatch agencies.

Attendance at trade conferences, etc.

46 Stat. 1209.
22 U. S. C. § 16.

Loss by exchange.

Language study.

Relief, etc., of American seamen.

Consular prisons, etc.

Care of insane.

Bringing home persons charged with crime.
R. S. § 5275.
18 U. S. C. § 659.

Proviso.
Navy reimbursement.

EMERGENCIES ARISING IN THE DIPLOMATIC AND CONSULAR SERVICE

Emergencies, Diplomatic and Consular Service.

Neutrality Act expenses.
Ante, p. 121.
R. S. § 291.
31 U. S. C. § 107.

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the Neutrality Act, to be expended pursuant to the requirement of section 291 of the Revised Statutes (U. S. C., title 31, sec. 107), $175,000.

Interchangeability provision; restriction.

Not to exceed 10 per centum of any of the foregoing appropriations under the caption "Foreign intercourse" for the fiscal year ending June 30, 1938, may be transferred, with the approval of the Director of the Bureau of the Budget, to any other foregoing appropriation or appropriations under such caption for such fiscal year, but no appropriation shall be increased more than 10 per centum thereby: *Provided*, That all such transfers and contemplated transfers shall be set forth in the Budget for the fiscal year 1939.

Proviso.
Report in Budget.

CONTRIBUTIONS, QUOTAS, AND SO FORTH

Contributions, quotas, etc.

For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts, as follows: Cape Spartel and Tangier Light, Coast of Morocco, $588; International Bureau of Weights and Measures, $4,342.50; International Bureau for Publication of Customs Tariffs, $1,318.77; Pan American Union, $192,942.80, including not to exceed $20,000 for printing and binding; International Bureau of Permanent Court of Arbitration, $1,722.57; Bureau of Interparliamentary Union for Promotion of International Arbitration, $20,000, including not to exceed $10,000 for the expenses of the American group of the Interparliamentary Union, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, stenographic reporting services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), traveling expenses, purchase of necessary books, documents, newspapers, periodicals, maps, stationery, official cards, printing and binding, entertainment, and other necessary expenses, to be disbursed on vouchers approved by the President and executive secretary of the American group; International Institute of Agriculture at Rome, Italy, $48,831, including not to exceed $11,775 for the salary of the American member of the permanent committee (at not more than $7,500 per annum), compensation of subordinate employees without regard to the Classification Act of 1923, as amended, expenses for the maintenance of the office at Rome, including purchase of necessary books, maps, documents, and newspapers and periodicals (foreign and domestic), printing and binding, allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), for the use of the American member of the permanent committee, and traveling and other necessary expenses, to be expended under the direction of the Secretary of State; Pan American Sanitary Bureau, $30,986.12; International Office of Public Health, $3,015.63; Bureau of International Telecommunication Union, Radio Section, $5,790; Government of Panama, $250,000; International Hydrographic Bureau, $4,632; Inter-American Trade-Mark Bureau, $14,330.20; International Bureau for Protection of Industrial Property, $1,471.63; Gorgas Memorial Laboratory, $50,000: *Provided*, That hereafter, notwithstanding the provisions of section 3 of the Act of May 7, 1928 (45 Stat. 491), the report of the operation and work of the laboratory, including the statement of the receipts and expenditures, shall be made to Congress during the first week of each regular session thereof, such report to cover a fiscal-year period ending on June 30 of the calendar year immediately preceding the convening of each such session; American International Institute for the Protection of Childhood, $2,000; International Statistical Bureau at The Hague, $2,000; International Map of the World on the Millionth Scale, $50; International Technical Committee of Aerial Legal Experts, $6,696, including not to exceed $6,500 for the expenses of participation by the Government of the United States in the meetings of the International Technical Committee of Aerial Legal Experts and of the commissions established by that committee, including traveling expenses, personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended, stenographic and other services by contract if deemed necessary without regard to the provisions

Services in the District.
5 U. S. C. §§ 661-674.

R. S. § 3709.
41 U. S. C. § 5

International Institute of Agriculture.

Allowances.
46 Stat. 818.
5 U. S. C. §118a.

Gorgas Memorial Laboratory.
Proviso.
Report to Congress.
45 Stat. 491.

International Technical Committee of Aerial Legal Experts.

R. S. § 3709. 41 U. S. C. § 5.

of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), rent, purchase of necessary books and documents, printing and binding, official cards, entertainment, and such other expenses as may be authorized by the Secretary of State; Convention Relating to Liquor Traffic in Africa, $55; International Penal and Penitentiary Commission, $4,328.75, including not to exceed $800 for the necessary expenses of the Commissioner to represent the United States on the Commission at its annual meetings, personal services without regard to the Classification Act of 1923, as amended, printing and binding, traveling expenses, and such other expenses as the Secretary of State may deem necessary; Permanent Association of International Road Congresses, $588; International Labor Organization, $173,939.74, including not to exceed $25,000 for the expenses of participation by the United States in the meetings of the General Conference and of the Governing Body of the International Labor Office and in such regional, industrial, or other special meetings as may be duly called by such Governing Body, including personal services, without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere, stenographic reporting and translating services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), rent, traveling expenses, purchase of books, documents, newspapers, periodicals, and charts, stationery, official cards, printing and binding, entertainment, hire, maintenance, and operation of motor-propelled passenger-carrying vehicles, and such other expenses as may be authorized by the Secretary of State; Implementing the Narcotics Convention of 1931, $9,109.18; International Council of Scientific Unions and Associated Unions, as follows: International Council of Scientific Unions, $19.30; International Astronomical Union, $617.60; International Union of Chemistry, $675; International Union of Geodesy and Geophysics, $2,316; International Scientific Radio Union, $154.40; International Union of Physics, $62.72; International Geographical Union, $125.44; and International Union of Biological Sciences, $154.40; in all, $4,124.86; and Pan American Institute of Geography and History, $10,000; in all, $842,862.75, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay in foreign currencies the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

International Labor Organization.

International Council of Scientific Unions and Associated Unions.

Total; additional sums, increase in rates of exchange.

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND MEXICO

International Boundary Commission, United States and Mexico. 24 Stat. 1011; 26 Stat. 1512; 34 Stat. 2953; 49 Stat. 660, 1370. Rio Grande, rectified channel. 48 Stat. 1626.

Salaries and expenses: For expenses of meeting the obligations of the United States under the treaties of 1884, 1889, 1905, and 1906 between the United States and Mexico, and of compliance with the Act approved August 19, 1935, as amended (49 Stat. 660, 1370), including maintenance and preservation of the rectified channel of the Rio Grande under the terms of article XI of the Convention between the United States and Mexico, concluded February 1, 1933 (48 Stat. 1621, 1626), operation of gaging stations where necessary and their equipment; personal services and rent in the District of Columbia and elsewhere; fees for professional services at rates and in amounts to be determined by the Secretary of State; travel expenses, including transportation of effects; printing and binding; law books and books of reference; subscriptions to foreign and domestic newspapers and periodicals; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger- and

Printing and binding.

freight-carrying vehicles; hire, with or without personal services, of work animals, and animal-drawn and motor-propelled vehicles and equipment; purchase of rubber boots and waders for official use of employees; purchase of ice; drilling and testing of dam sites, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); equipment and such other miscellaneous expenses as the Secretary of State may deem proper, $150,000: *Provided*, That hereafter employees paid from appropriations to the United States Section, International Boundary Commission, and engaged principally upon project construction or operation and maintenance to such extent as the same may be determined by the American Commission to be necessary, shall be excluded from the purview of the Act of March 3, 1931 (U. S. C., title 5, sec. 26–a).

Contracts without advertising.
R. S. § 3709.
41 U. S. C. § 5.

Proviso.
Restriction.

16 Stat. 1482.
5 U. S. C. § 26a.

For the construction (including operation and maintenance and protection during construction) of the following projects under the supervision of the International Boundary Commission, United States and Mexico, United States section, including salaries and wages of employees, laborers, and mechanics; fees for professional services at rates and in amounts to be determined by the Secretary of State; travel expenses; rents; construction and operation of gaging stations; purchase (including exchange), maintenance, repair, and operation of motor-propelled passenger- and freight-carrying vehicles; drilling and testing of dam sites, by contract if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, purchase, or condemnation, of real and personal property, including expenses of abstracts and certificates of title; transportation of things (including drayage, packing, and crating of personal effects of employees upon change of station for permanent duty) not to exceed five thousand pounds in any one case; printing and binding; communication services; equipment, materials and supplies, including purchase of ice, rubber boots, and waders for official use of employees, and such other miscellaneous expenses as the Secretary of State may deem necessary.

Construction, under Commission supervision.

Contracts without advertising.
R. S. § 3709.
41 U. S. C. § 5.

Rio Grande rectification project: For the rectification of the Rio Grande in the El Paso-Juarez Valley under the convention concluded February 1, 1933, between the United States and Mexico, $875,000.

Rio Grande rectification project.
48 Stat. 1621.

Lower Rio Grande flood-control project: For construction, including surveys and other preliminary expenses, of the United States portion of the project for flood control on the Lower Rio Grande, as authorized by the Act approved August 19, 1935, as amended (49 Stat. 660, 1370), $1,250,000: *Provided*, That no part of this appropriation for the Lower Rio Grande flood-control project shall be expended for construction on any land, site, or easement until title thereto has been conveyed to the United States by donation and the same has been approved by the Attorney General of the United States.

Lower Rio Grande flood-control project.

49 Stat. 660, 1370.

Proviso.
Acquisition and approval of title.

Rio Grande Canalization project: For beginning construction of the Rio Grande canalization project as authorized by the Acts approved August 29, 1935 (49 Stat. 961) and June 4, 1936 (49 Stat. 1463), $900,000, of which not to exceed $400,000 may be expended for completion of the construction of a diversion dam in the Rio Grande wholly in the United States, with appurtenant connections to existing irrigation systems.

Rio Grande canalization project.
49 Stat. 961, 1463.

Diversion dam.

International Boundary Commission, United States and Canada and Alaska and Canada.
Expenses, under treaty obligations.
44 Stat 2102.

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA AND ALASKA AND CANADA

To enable the President to perform the obligations of the United States under the treaty between the United States and Great Britain in respect of Canada, signed February 24, 1925; for salaries and expenses, including the salary of the Commissioner and salaries of the necessary engineers, clerks, and other employees for duty at the seat of government and in the field; cost of office equipment and supplies; necessary traveling expenses; commutation of subsistence to employees while on field duty, not to exceed $4 per day each, but not to exceed $1.75 per day each when a member of a field party and subsisting in camp; for payment for timber necessarily cut in keeping the boundary line clear, not to exceed $500; and for all other necessary and reasonable expenses incurred by the United States in maintaining an effective demarcation of the international boundary line between the United States and Canada and Alaska and Canada under the terms of the treaty aforesaid, including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain, and including the hire of freight- and passenger-carrying vehicles from temporary field employees, to be disbursed under the direction of the Secretary of State, $41,500.

Boundary lines, United States and Canada and Alaska and Canada.

International Joint Commission, United States and Great Britain.
Salaries, expenses, etc.

WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL JOINT COMMISSION, UNITED STATES AND GREAT BRITAIN

For salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State; for necessary traveling expenses, and for expenses incident to holding hearings and conferences at such places in Canada and the United States as shall be determined by the Commission or by the American commissioners to be necessary, including travel expense and compensation of necessary witnesses, making necessary transcript of testimony and proceedings; for cost of law books, books of reference and periodicals, office equipment and supplies; and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909; $37,100, to be disbursed under the direction of the Secretary of State: *Provided*, That the salaries of the American Commissioners shall not exceed $7,500 each per annum: *Provided further*, That traveling expenses of the commissioners, secretary, and necessary employees shall be allowed in accordance with the provisions of the Subsistence Expense Act of 1926, as amended (U. S. C., title 5, secs. 821–833).

36 Stat. 2448.

Provisos.
Salary restriction.

Traveling expenses.
44 Stat. 688.
5 U. S. C. §§ 821–833.

Special or technical investigations.
Personal services.

For an additional amount for necessary special or technical investigations in connection with matters which fall within the scope of the jurisdiction of the International Joint Commission, including personal services in the District of Columbia or elsewhere, traveling expenses, procurement of technical and scientific equipment, and the purchase, exchange, hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, $65,000, to be disbursed under the direction of the Secretary of State, who is authorized to transfer to any department or independent establishment of the Government, with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation.

GENERAL CLAIMS CONVENTION, UNITED STATES AND MEXICO

General claims convention, United States and Mexico.
43 Stat. 1722, 1730.
48 Stat. 1844.
Ante, p. 229.

For the expenses of settlement and adjustment of claims of the citizens of each country against the other under a convention concluded September 8, 1923, as extended, and the protocol and convention signed April 24, 1934, between the United States and Mexico, including the expenses which, under the terms of the above agreements, are chargeable in part to the United States, the expenses of an agency of the United States to perform all necessary services in connection with the preparation of American claims and the defense of the United States in cases presented by Mexico, and of a general claims commissioner to act as a joint appraiser in appraising the claims, including salaries of an agent and necessary counsel and other assistants and employees and rent in the District of Columbia and elsewhere, law books and books of reference, printing and binding, contingent expenses, contract stenographic reporting services, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), the employment of special counsel, translators, and other technical experts, by contract, without regard to the provisions of any statute relative to employment, traveling expenses, and such other expenses in the United States and elsewhere as the President may deem proper, $48,500, to be available immediately: *Provided*, That the salary of the American commissioner of general claims shall not exceed $10,000 per annum: *Provided further*, That from any sums received from the Mexican Government in settlement of a general claim of an American citizen against it, there shall be deducted and deposited in the Treasury of the United States as miscellaneous receipts, 5 per centum thereof in reimbursement of the Government of the United States of expenses incurred by it in respect of such claim: *Provided further*, That this appropriation may be used to reimburse other appropriations under the Department of State from which expenditures may have been made for any of the purposes herein defined prior to the effective date of this appropriation.

Preparation of claims and defense.

Contracts without advertising.
R. S. § 3709.
41 U. S. C. § 5.

Provisos.
Commissioner's salary.

Deductions.

Reimbursement of other appropriations.

INTERNATIONAL FISHERIES COMMISSION

International Fisheries Commission.

Share of expenses.
47 Stat. 1872.

For the share of the United States of the expenses of the International Fisheries Commission, under the convention between the United States and Great Britain, concluded May 9, 1930, including salaries of two members and other employees of the Commission, traveling expenses, charter of vessels, purchase of books, periodicals, furniture, and scientific instruments, contingent expenses, rent in the District of Columbia, and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, to be disbursed under the direction of the Secretary of State, $25,000: *Provided*, That not to exceed $700 shall be expended by the Commissioner and his staff in attending meetings of the Commission.

Rent.

Proviso.
Attendance at meetings.

MISCELLANEOUS CONFERENCES, COMMISSIONS, AND SO FORTH

Miscellaneous conferences, etc.

Eighth International Conference of American States, Lima, Peru.

Eighth International Conference of American States, Lima, Peru: For the expenses of participation by the United States in the Eighth International Conference of American States, to be held at Lima, Peru, including personal services in the District of Columbia or elsewhere, without reference to the Classification Act of 1923, as amended; stenographic reporting and other services, by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses (and by indirect routes and by airplane if specifically authorized by the Secretary of State); hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; equipment; purchase of neces-

R. S. § 3709.
41 U. S. C. § 5.

sary books, documents, newspapers, periodicals, and maps; stationery; official cards; entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, $67,500, to remain available until June 30, 1939.

Reimbursement of other appropriations.

Telecommunication Conference, Cairo, Egypt: For the expenses of participation by the United States in the Telecommunication Conference to be held at Cairo, Egypt, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other services, by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses (and by indirect routes if specifically authorized by the Secretary of State); hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; equipment; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards; entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, $45,000, to be immediately available.

Telecommunication Conference, Cairo, Egypt.
Post, p. 770.

Reimbursement of other appropriations.

Aviation Conference, Lima, Peru: The unexpended balance of the appropriation "Aviation Conference, Lima, Peru, 1936 and 1937", contained in the First Deficiency Appropriation Act, fiscal year 1936, approved June 22, 1936, is continued available for the same purposes until June 30, 1938.

Aviation Conference, Lima, Peru.
Balance continued available.
49 Stat. 1632.

United States Delaware Valley Tercentenary Commission: For the expenses of the United States Delaware Valley Tercentary [1] Commission, appointed to cooperate with representatives of the States of Delaware and Pennsylvania in the appropriate observance of the three-hundredth anniversary of the first permanent settlement of Swedish colonists in Delaware, Pennsylvania, and New Jersey, as authorized by Public Resolution Numbered 102, approved June 5, 1936, including personal services in the District of Columbia and elsewhere, without reference to the Classification Act of 1923, as amended; stenographic reporting and other services, by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; actual and necessary traveling and subsistence expenses; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; equipment; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards; entertainment; printing and binding; badges; and other necessary expenses; to be expended by the Commission, $10,000.

Delaware Valley Tercentenary Commission.

49 Stat. 1486.

For the relief of certain officers and employees of the Foreign Service: For payment to Gustava Hanna, widow of Matthew E. Hanna, American Minister to Nicaragua, the sum of $19,745.33, of which the sum of $19,592.25 represents the value of reasonable and necessary personal property lost as a result of the earthquake at Managua, Nicaragua, March 31, 1931, and the sum of $153.08 represents the amount of money and vouchers destroyed when the contents of the safe in the legation were burned; to Willard L. Beaulac, secretary of the American Legation at Managua, Nicaragua, the sum of $821.92, such sum representing the value of reasonable and necessary personal property lost as a result of the earthquake at

Relief of designated officers, etc.
Gustava Hanna.

Willard L. Beaulac.

[1] So in original.

Managua, Nicaragua, March 31, 1931; and to Marion P. Hoover, clerk in the Legation at Managua, Nicaragua, the sum of $80, such sum representing the value of reasonable and necessary personal property lost as a result of the earthquake at Managua, Nicaragua, March 31, 1931, as authorized by Private Law Numbered 589, approved June 3, 1936; in all, $20,647.25.

Marion P. Hoover.

49 Stat. 2308

Section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase by or service rendered for the Department of State when the aggregate amount involved does not exceed $100 or when the purchase or service relates to the packing of personal and household effects of Diplomatic, Consular, and Foreign Service officers and clerks for foreign shipment.

Minor purchases. R. S. § 3709. 41 U. S. C. § 5.

Unless expressly authorized, no portion of the sums appropriated in title I of this Act shall be expended for rent or rental allowances in the District of Columbia or elsewhere in the United States.

Rental restriction.

The President, in his discretion, may assign officers of the Army or Navy or officers or employees of the Treasury Department for duty as inspectors of buildings owned or occupied by the United States in foreign countries, or as inspectors or supervisors of buildings under construction or repair by or for the United States in foreign countries, under the jurisdiction of the Department of State, or for duty as couriers of the Department of State, and when so assigned they may receive the same traveling expenses as are authorized for officers of the Foreign Service, payable from the applicable appropriations of the Department of State.

Assignments as inspectors, etc., of buildings abroad, traveling expenses.

This title may be cited as the "Department of State Appropriation Act, 1938".

Short title.

TITLE II—DEPARTMENT OF JUSTICE

Department of Justice.

OFFICE OF THE ATTORNEY GENERAL

Salaries, designated offices.

Salaries: For personal services in the District of Columbia as follows:

For the Office of the Attorney General, $52,380.

For the Office of the Solicitor General, $54,740.

For the Office of the Assistant Solicitor General, $43,300.

For the Office of Assistant to the Attorney General, $43,100.

For the Administrative Division, $541,670.

For the Tax Division, $563,500.

For the Criminal Division, $150,100.

For the Claims Division, $191,340.

For the Lands Division, $117,060.

For the Office of Pardon Attorney, $22,470.

For the Anti-Trust Division, $110,000.

Total, Office of the Attorney General, $1,889,660: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various offices and divisions named, but not more than 10 per centum shall be added to the amount appropriated for any one of said offices or divisions and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget.

Proviso. Interchangeability of amounts.

Report in Budget.

Contingent expenses: For stationery, furniture and repairs, floor coverings not exceeding $1,000, file holders and cases; miscellaneous expenditures, including telegraphing and telephones, and teletype rentals and tolls, postage, labor, typewriters and adding machines and the exchange thereof and repairs thereto, streetcar fares not exceeding $300, newspapers not exceeding $350, press clippings, and other necessaries ordered by the Attorney General; official transportation, including the repair, maintenance, and operation of six

Contingent expenses.

Vehicles.

motor-driven passenger cars (one for the Attorney General, three for general use of the Department, two for the Federal Bureau of Investigation for investigative work), delivery trucks, and motorcycle, to be used only for official purposes; purchase of law books, books of reference, and periodicals, including the exchange thereof; and miscellaneous and emergency expenses authorized and approved by the Attorney General, to be expended at his discretion, $143,300: *Provided*, That this appropriation may be reimbursed for expenditures in connection with cars herein authorized for the Bureau of Investigation from the appropriation for the expenses of said Bureau when approved in writing by the Attorney General: *Provided further*, That not to exceed $2 per volume shall be paid for the current and future volumes of the United States Code, Annotated: *Provided further*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Provisos. Reimbursement for car expenses.

United States Code, Annotated; price limitation.

Statement of expenditures in Budget.

Traveling expenses: For all necessary traveling expenses under the Department of Justice and the Judiciary, including traveling expenses of probation officers and their clerks but not including traveling expenses otherwise payable under any appropriations for "United States Supreme Court", "United States Court of Customs and Patent Appeals", "United States Customs Court", "Court of Claims", "United States Court for China", "Federal Bureau of Investigation", "Salaries and expenses of marshals", "Fees of jurors and witnesses", and "Penal and correctional institutions (except as otherwise hereinbefore provided)", $800,000.

Traveling expenses.

Items not included.

Printing and binding: For printing and binding for the Department of Justice and the Courts of the United States, $275,000.

Printing and binding.

FEDERAL BUREAU OF INVESTIGATION

Federal Bureau of Investigation.

SALARIES AND EXPENSES

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; purchase and exchange not to exceed $50,000, and hire, maintenance, upkeep, and operation of motor-propelled passenger-carrying vehicles, to be used only on official business; purchase and exchange at not to exceed $7,000 each, and maintenance, upkeep, and operation, of not more than four armored automobiles; firearms and ammunition; such stationery, supplies, and equipment for use at the seat of government or elsewhere as the Attorney General may direct; not to exceed $10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph and to be expended under the direction of the Attorney General; traveling expenses, including expenses, in an amount not to exceed $4,500, of attendance at meetings concerned with the work of such Bureau when authorized in writing by the Attorney General; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice, including not to exceed $20,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient

Detection and prosecution of crimes. Protection of the President. Identification records.

Investigations.

Matters under control of Departments of Justice and State.

Vehicles.

Miscellaneous.

Rewards for apprehending fugitives.

Emergencies.

voucher for the sum therein expressed to have been expended; and including not to exceed $1,640,000 for personal services in the District of Columbia; $6,000,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Federal Bureau of Investigation in the field when the aggregate amount involved does not exceed the sum of $50.

Services in the District.
Proviso.
Minor purchases.
R. S. § 3709.
41 U. S. C. § 5.

MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Miscellaneous.

Conduct of customs cases: Assistant Attorney General, special attorneys and counselors at law in the conduct of customs cases, to be employed and their compensation fixed by the Attorney General; necessary clerical assistance and other employees at the seat of government and elsewhere, to be employed and their compensation fixed by the Attorney General, including experts at such rates of compensation as may be authorized or approved by the Attorney General; expenses of procuring evidence, supplies, Supreme Court Reports and Digests, and Federal Reporter and Digests, and other miscellaneous and incidental expenses, to be expended under the direction of the Attorney General; in all, $130,000.

Conduct of customs cases.

Taxes and Penalties Division: For salaries and expenses in connection with the enforcement of liability for internal-revenue taxes and penalties involving violation of the National Prohibition Act, as amended and supplemented, the determination of the remission or mitigation of forfeitures under the internal-revenue laws and of liability for internal-revenue taxes and penalties in connection with violations of the National Prohibition Act occurring prior to the repeal of the eighteenth amendment, the institution of suits upon any cause of action under the National Prohibition Act or under the internal-revenue laws involving a violation of the National Prohibition Act arising prior to, and not affected by the repeal of the eighteenth amendment, and the compromise of any such cause of action before or after suit is brought, personal services in the District of Columbia and elsewhere, and such other expenditures (not exceeding $50 for any one item) as may be necessary, $203,000.

Taxes and Penalties Division.
Enforcing designated Acts, etc., under.

Examination of judicial offices: For the investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; and also, when requested by the presiding judge, the official acts, records, and accounts of referees and trustees of such courts; for copying, in the District of Columbia or elsewhere, reports of examiners at folio rates; in all, $46,000, to be expended under the direction of the Attorney General.

Examination of judicial offices.

BUREAU OF PRISONS

Bureau of Prisons.

Salaries: For salaries in the District of Columbia and elsewhere in connection with the supervision of the maintenance and care of United States prisoners, $236,700.

Salaries and expenses.

The appropriation under title II for traveling expenses, shall be available in an amount not to exceed $3,500, for expenses of attendance at meetings concerned with the work of the Bureau of Prisons when incurred on the written authorization of the Attorney General.

Attendance at meetings.
Ante, p. 274.

VETERANS' INSURANCE LITIGATION

Veterans' insurance litigation.

Salaries and expenses: For salaries and expenses incident to the defense of suits against the United States under section 19, of the

Salaries and expenses.

43 Stat. 612, 1302; 48 Stat. 302. 38 U. S. C. § 445.

World War Veterans' Act, 1924, approved June 7, 1924, as amended and supplemented, or the compromise of the same under the Independent Offices Appropriation Act, 1934, approved June 16, 1933, including office expenses, law books, supplies, equipment, stenographic reporting services by contract or otherwise, including notarial fees or like services and stenographic work in taking depositions at such rates of compensation as may be authorized or approved by the Attorney General, printing and binding, the employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and personal services in the District of Columbia and elsewhere, $530,000.

Judicial.

JUDICIAL

United States Supreme Court.

UNITED STATES SUPREME COURT

Salaries, Chief Justice and Associate Justices. Reporter and other officers and employees. *Post*, p. 766.

Salaries: For the Chief Justice and eight Associate Justices, Reporter of the Court, and all other officers and employees whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, $422,700.

Printing and binding.

Printing and binding: For printing and binding for the Supreme Court of the United States, $21,000, to be expended as required without allotment by quarters, and to be executed by such printer as the Court may designate.

Miscellaneous expenses.

Miscellaneous expenses: For miscellaneous expenses of the Supreme Court of the United States, to be expended as the Chief Justice may approve, $26,000.

Care of building and grounds. 48 Stat. 668.

Structural and mechanical care of the building and grounds: For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (48 Stat. 668), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances, and personal and other services, and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 and 3744 of the Revised Statutes (U. S. C., title 41, secs. 5 and 16), $60,000.

R. S. §§ 3709, 3744. 41 U. S. C. §§ 5, 16.

Judges.

SALARIES OF JUDGES

Salaries.

Salaries of judges: For forty-three circuit judges; one hundred and sixty-three district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, and one in the Virgin Islands); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, $2,410,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto, whether active or retired.

Retired judges. 28 U. S. C. § 375. 46 Stat. 737. 19 U. S. C. § 1518. *Proviso.* Availability.

Court of Customs and Patent Appeals.

COURT OF CUSTOMS AND PATENT APPEALS

Salaries.

Salaries: Presiding judge and four associate judges and all other officers and employees of the court, $101,120.

Contingent expenses.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; drugs, chemicals, cleansers, furniture; and for such other miscellaneous expenses as may be approved by the presiding judge, $3,000.

Printing and binding.

Printing and binding: For printing and binding, $6,250.

Customs Court.

UNITED STATES CUSTOMS COURT

Salaries.

Salaries: Presiding judge and eight judges; and all other officers and employees of the court, $229,900.

Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, $14,500.

Contingent expenses.

Printing and binding: For printing and binding, $1,000.

Printing and binding.

COURT OF CLAIMS

Court of Claims.

Salaries: Chief justice and four judges; chief clerk at not exceeding $6,500; auditor at not exceeding $5,000; and all other officers and employees of the court, $122,160.

Salaries

Printing and binding: For printing and binding, $25,500.

Printing and binding.

Contingent expenses: For stationery, court library, repairs, fuel, electric light, electric elevator, and other miscellaneous expenses, $6,500.

Contingent expenses.

Salaries and expenses of commissioners: For salaries of five regular commissioners and one temporary commissioner at $7,500 each, and for traveling expenses, compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (U. S. C., title 28, secs. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930 (U. S. C., title 28, sec. 270), $65,500.

Commissioners, salaries and expenses.

46 Stat. 799.
28 U. S. C. §§ 269, 270.

Repairs, furnishings, and so forth: For necessary repairs, furnishings, and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, $6,000.

Repairs, etc., to buildings.

TERRITORIAL COURTS

Territorial Courts.

Hawaii: For salaries of the chief justice and two associate justices, and for judges of the circuit courts, $88,500.

Hawaii.

DISTRICT COURT, PANAMA CANAL ZONE

Salaries, District Court, Panama Canal Zone: For salaries of the officials and employees of the District Court of the United States for the Panama Canal Zone, $47,000.

District Court, Panama Canal Zone.

UNITED STATES COURT FOR CHINA

United States Court for China.

United States Court for China: For salaries of the judge, district attorney, and other officers and employees of the United States Court for China; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed $1,700 for any one person; court expenses, including reference and law books, printing and binding, ice and drinking water for office purposes, traveling expenses of officers and employees of the court, and, under such regulations as the Attorney General may prescribe, of their families and effects, in going to and returning from their posts; preparation and transportation of remains of officers and employees who may die abroad or in transit while in the discharge of their official duties, to their former homes in the United States, or to a place not more distant for interment and for the ordinary expenses of such interment; the expense of maintaining in China American convicts and persons declared insane by the court, rent of quarters for prisoners, ice and drinking water for prison purposes, including wages of prison keepers, and the expense of keeping, feeding, and transporting prisoners and persons declared insane by the court, $54,000.

Salaries and expenses.

46 Stat. 818.
5 U. S. C. § 118a.

Bringing home remains of officers, etc., dying abroad.

United States Courts.

MARSHALS, AND OTHER EXPENSES OF UNITED STATES COURTS

Marshals.
Salaries and expenses.
Services in Alaska.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals and their deputies, including services rendered in behalf of the United States or otherwise, services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General, traveling expenses, purchase, when authorized by the Attorney General, of ten motor-propelled passenger-carrying vans at not to exceed $2,000 each, and maintenance, alteration, repair, and operation of motor-propelled passenger-carrying vehicles used in connection with the transaction of the official business of the United States marshals, $3,560,000.

District attorneys.
Salaries and expenses.

Salaries and expenses of district attorneys, and so forth: For salaries and expenses of United States district attorneys and their regular assistants, clerks, and other employees, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, $2,918,500.

Special attorneys, etc.
Salaries and expenses.
Foreign counsel.

Salaries and expenses of special attorneys, and so forth: For compensation of special attorneys and assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases, $927,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed the rate of $10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each together with a description of their duties.

Provisos.
Compensation limitation.

Reports to Congress.

Clerks of courts.
Salaries and expenses.

Salaries and expenses, clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, and expenses of conducting their respective offices, $2,170,000.

Commissioners, etc., fees.
R. S. § 1014.
18 U. S. C. § 591.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (U. S. C., title 18, sec. 591), $320,000.

Conciliation commissioners, fees, etc.
30 Stat. 544; 47 Stat. 1467.
11 U. S. C. §§ 201-205.

Conciliation commissioners, United States courts: For fees of conciliation commissioners, as authorized by the Act entitled "An Act to amend an Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898, and Acts amendatory thereof and supplementary thereto", approved March 3, 1933, as amended, $105,000: *Provided*, That none of the money appropriated herein shall be used to pay the statutory fee of any conciliation commissioner until the case for which the fee is provided shall have been finally disposed of, and not more than one fee shall be paid in any one case.

Proviso.
Payment restriction.

Jurors and witnesses.
Fees, mileage, per diems, etc.
R. S. § 850.
28 U. S. C. § 604.

Fees of jurors and witnesses: For mileage and per diems of jurors; for mileage and per diems of witnesses and for per diems in lieu of subsistence; and for payment of the expenses of witnesses, as provided by section 850, Revised Statutes (U. S. C., title 28, sec. 604), including the expenses, mileage, and per diems of witnesses on behalf of the Government before the United States Customs Court, such payments to be made on the certification of the attorney for

the United States and to be conclusive as provided by section 846, Revised Statutes (U. S. C., title 28, sec. 577), $3,040,000: *Provided*, That not to exceed $10,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day.

R. S. § 846. 28 U. S. C. § 577. *Provisos.* Authorization, etc., by Attorney General.

Attendance fee, limitation.

Salaries and expenses of bailiffs, and so forth: For bailiffs, not exceeding three bailiffs in each court, except in the southern district of New York and the northern district of Illinois; meals and lodging for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (U. S. C., title 28, secs. 9, 557–570, 595, 596), and compensation for jury commissioners, $5 per day, not exceeding three days for any one term of court, $262,000: *Provided*, That, excepting in the case of bailiffs in charge of juries over Sundays and holidays, no per diem shall be paid to any bailiff unless the court is actually in session and the judge present and presiding or present in chambers: *Provided further*, That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals are available for the duties ordinarily executed by bailiffs, the fact of unavailibility to be determined by the certificate of the marshal.

Bailiffs. Salaries and expenses. Jury expenses.

Alaska. 31 Stat. 362. 28 U. S. C. §§ 9, 557–570, 595, 596. Jury commissioners.

Provisos. Per diems, limitation on payment.

Use limited.

Miscellaneous expenses: For such miscellaneous expenses as may be authorized or approved by the Attorney General, for the United States courts and their officers, including experts, and notarial fees or like services and stenographic work in taking depositions, at such rates of compensation as may be authorized or approved by the Attorney General, so much as may be necessary in the discretion of the Attorney General for such expenses in the District of Alaska, the Court of Claims, and in courts other than Federal courts; patent applications and contested proceedings involving inventions; rent of rooms for United States courts and judicial officers; supplies, including the exchange of typewriting and adding machines, for the United States courts and judicial officers, including firearms and ammunition therefor; purchase of law books, including the exchange thereof, for United States judges, district attorneys, and other judicial officers, including the libraries of the ten United States circuit courts of appeals, and the Federal Reporter and continuations thereto as issued, $1,086,000: *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased hereunder to be marked plainly, "The Property of the United States": *Provided further*, That not to exceed $2 per volume shall be paid for the current and future volumes of the United States Code, Annotated: *Provided further*, That the maximum salary paid to any stenographer or law clerk to any circuit or district judge shall not exceed $2,500 per annum: *Provided further*, That this limitation shall not operate to reduce the compensation of any stenographer now employed nor shall the salary of any stenographer drawing more than $2,500 per annum hereafter be increased.

Miscellaneous expenses.

Alaska.

Rent, supplies, etc.

Law books for judicial officers.

Federal Reporter.

Provisos. Transmittal to successors.

United States Code, Annotated, price limitation.

Stenographer or law clerk, maximum salary.

Present stenographers not affected.

No part of the funds appropriated by title II of this Act for salaries of judges, the Attorney General, Assistant Attorneys General, Solicitor General, district attorneys, marshals, and clerks of court shall be used for any other purpose whatsoever, but such salaries shall be allotted out of appropriations herein made for such salaries and retained by the Department and paid to such officials severally, as and when such salaries fall due and without delay.

Restriction on use of designated funds.

Penal and correctional institutions.

PENAL AND CORRECTIONAL INSTITUTIONS

Services, supplies, etc.

For all services, including personal services compensated upon fee basis, supplies, materials, and equipment in connection with or incident to the subsistence and care of inmates and maintenance and upkeep of Federal penal and correctional institutions, including farm and other operations not otherwise specifically provided for in the discretion of the Attorney General; gratuities for inmates at release, provided such gratuities shall be furnished to inmates sentenced for terms of imprisonment of not less than six months, and transportation to the place of conviction or bona-fide residence at the time of conviction or to such other place within the United States as may be authorized by the Attorney General; expenses of interment or transporting remains of deceased inmates to their homes in the United States; maintenance and repair of passenger-carrying vehicles; traveling expenses of institution officials and employees when traveling on official duty, including expenses, in an amount not to exceed $750 for each institution of attendance at meetings concerned with the work of the several institutions when authorized in writing by the Attorney General, and including expenses incurred in pursuing and identifying escaped inmates; traveling expenses of members of advisory boards authorized by law incurred in the discharge of their official duties; packing, crating, drayage, and transportation of household effects, not exceeding in any one case five thousand pounds, of employees when transferred from one official station to another for permanent duty and uniforms for the guard force, when specifically authorized by the Attorney General; rewards for the capture of escaped inmates; newspapers, books, and periodicals; firearms and ammunition; tobacco for inmates; and the purchase and exchange of farm products and livestock, when authorized by the Attorney General: *Provided*, That any part of the appropriations under this heading used for payment of salaries of personnel employed in the operation of prison commissaries shall be reimbursed from commissary earnings, and such reimbursement shall be in addition to the amounts appropriated herein.

Proviso Prison commissaries.

Medical and hospital service.

MEDICAL AND HOSPITAL SERVICE

Care, maintenance, etc.

Medical and hospital service: For medical relief for, and incident to the care and maintenance of, inmates of penal and correctional institutions, including personal services in the District of Columbia and elsewhere, medical, surgical, and hospital supplies, materials, equipment, and appliances, together with appliances necessary for patients, $563,040, which amount, in the discretion of the Attorney General, may be transferred to the Public Health Service for direct expenditure under the laws, appropriations, and regulations governing the Public Health Service.

Leavenworth, Kans.

United States penitentiary, Leavenworth, Kansas: For the United States penitentiary at Leavenworth, Kansas, including not to exceed $424,120 for salaries and wages of all officers and employees, $953,370.

United States penitentiary annex, Leavenworth, Kansas: For the United States penitentiary annex at Leavenworth, Kansas, including not to exceed $302,460 for salaries and wages of all officers and employees, $601,540.

Atlanta, Ga.

United States pententiary[1], Atlanta, Georgia: For the United States penitentiary at Atlanta, Georgia, including not to exceed $403,360 for salaries and wages of all officers and employees, $932,610.

[1] So in original.

United States penitentiary, McNeil Island, Washington: For the United States penitentiary at McNeil Island, Washington, including not to exceed $258,480 for salaries and wages of all officers and employees, $513,980.

McNeil Island, Wash.

Construction and repair: For construction and repair of buildings, including (1) extension of existing facilities, $27,000, and (2) development of island area, $110,000, including the purchase and installation of machinery and equipment and all expenses incident thereto, $137,000, to be available immediately and to remain available until expended and to be expended so as to give the maximum amount of employment to inmates of the institution: *Provided*, That the ultimate cost of the project for development of the island area shall not exceed $800,000.

Construction, etc.

Proviso. Cost limitation.

United States Northeastern Penitentiary: For the United States penitentiary in the Northeast, including not to exceed $391,510 for salaries and wages of all officers and employees, and including the purchase of one passenger-carrying automobile, $734,390.

Northeastern Penitentiary.

United States Penitentiary, Alcatraz Island, California: For the United States Penitentiary at Alcatraz Island, California, including not to exceed $161,960 for salaries and wages, of all officers and employees, $305,600.

Alcatraz Island, Calif.

Federal Industrial Institution for Women, Alderson, West Virginia: For the Federal Industrial Institution for Women at Alderson, West Virginia, including not to exceed $139,480 for salaries and wages of all officers and employees, $273,900.

Federal Industrial Institution for Women, Alderson, W. Va.

United States Industrial Reformatory, Chillicothe, Ohio: For the United States Industrial Reformatory at Chillicothe, Ohio, including not to exceed $352,560 for salaries and wages of all officers and employees, $761,360.

Industrial Reformatory, Chillicothe, Ohio.

United States Southwestern Reformatory: For the United States Southwestern Reformatory, including not to exceed $284,090 for salaries and wages of all officers and employees, $514,040.

Southwestern Reformatory.

United States Hospital for Defective Delinquents: For the United States Hospital for Defective Delinquents, including not to exceed $153,920 for salaries and wages of all officers and employees, and including the purchase of one passenger-carrying automobile, $341,000.

Hospital for Defective Delinquents.

Federal jails: For maintenance and operation of Federal jails, including not to exceed $455,000 for salaries and wages of all officers and employees, $1,023,465.

Federal jails.

Prison camps: For the construction and repair of buildings at prison camps, the purchase and installation of machinery and equipment, and all necessary expenses incident thereto, and for the maintenance of United States prisoners at prison camps, including the purchase of four passenger-carrying automobiles and the maintenance, alteration, repair, and operation of a motor-propelled passenger-carrying bus and four passenger-carrying automobiles, to be expended so as to give the maximum amount of employment to prisoners, $376,440: *Provided*, That reimbursements from this appropriation made to the War or other departments for supplies or subsistence shall be at the net contract or invoice price notwithstanding the provisions of any other Act.

Prison camps, construction, etc.

Maintenance.

Proviso. Reimbursements.

Federal Reformatory Camp, Petersburg, Virginia: For the Federal Reformatory Camp at Petersburg, Virginia, including not to exceed $133,640 for salaries and wages of all officers and employees, $274,000.

Federal Reformatory Camp, Petersburg, Va.

Not to exceed 10 per centum of any of the foregoing appropriations under the general heading "Penal and Correctional Institutions" (except those for "Medical and hospital services", "Buildings

Transfer of appropriations authorized.

and equipment", and "Construction and repair, United States penitentiary, McNeil Island, Washington") may be transferred, with the approval of the Director of the Bureau of the Budget, to any appropriation or appropriations from which transfers are authorized to be made by this paragraph, but no appropriation shall be increased by more than 10 per centum thereby and no transfer shall be effected for the payment of personnel in any such institution.

Restriction.

Buildings and equipment, public works.
Prison officers' dwellings.

Buildings and equipment, public works: For extensions to existing facilities and not to exceed $50,000 for construction of dwellings for prison officers at existing institutions, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct, $280,000.

Construction, designated jails.

Buildings and equipment, public works: For completion of construction of the Federal jails at Los Angeles, California, Sandstone, Minnesota, and Tallahassee, Florida, $1,100,000 to be immediately available and to remain available until expended.

National Training School for Boys, D. C.

National Training School for Boys, Washington, District of Columbia: For the National Training School for Boys, Washington, District of Columbia, including expenses of a suitable attendant to accompany the remains of deceased inmates to their homes for burial and including not to exceed $114,000 for salaries and wages of all officers and employees, $238,000.

Buildings and equipment.

Buildings and equipment: For alterations of and repairs to buildings, including the purchase and installation of machinery and equipment, and all expenses incident thereto, to be expended so as to give the maximum amount of employment to inmates of the institution, $21,540.

Probation system, United States courts.
46 Stat. 503.
18 U. S. C. § 726.

Probation system, United States courts: For salaries and expenses of probation officers, as authorized by the Act entitled "An Act to amend the Act of March 4, 1925, chapter 521, and for other purposes", approved June 6, 1930 (U. S. C., title 18, sec. 726), $584,500: *Provided*, That no part of the appropriation herein made shall be used to pay any probation officer a salary in excess of $2,800 per annum: *Provided further*, That no part of any appropriation in this Act shall be used to defray the salary or expenses of any probation officer who does not comply with the official orders, regulations, and probation standards promulgated by the Attorney General.

Provisos.
Salary restriction.

Conditions imposed.

Support of prisoners.

Support of prisoners: For support of United States prisoners, in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid, discharge gratuities provided by law and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (U. S. C., title 18, sec. 753c, 753d); support of prisoners becoming insane during imprisonment, and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States, and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks; $2,000,000.

46 Stat. 326.
18 U. S. C. §§ 753c, 753d.

Jurors and witnesses.
47 Stat. 413.
Post, p. 647.

Section 323 of part II of the Legislative Appropriation Act, approved June 30, 1932, except so much thereof as suspends the per diem for expenses of subsistence for witnesses, is hereby con-

tinued in full force and effect during the fiscal year ending June 30, 1938; and for the purpose of making such section applicable to such fiscal year the figures "1933" shall be read as "1938."

None of the money appropriated by this title shall be used to pay any witness, juror, or bailiff more than one per diem for any one day's service even though he serves in more than one of such three capacities on the same day. Payments restricted.

This title may be cited as the "Department of Justice Appropriation Act, 1938." Short title.

TITLE III—DEPARTMENT OF COMMERCE

Department of Commerce.

OFFICE OF THE SECRETARY

Secretary's office.

Salaries: Secretary of Commerce, two Assistant Secretaries, and other personal services in the District of Columbia, including the Chief Clerk and Superintendent, who shall be chief executive officer of the Department and who may be designated by the Secretary of Commerce to sign minor routine official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries of the Department, $352,000. Salaries.

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, except the Patent Office, including those for which appropriations for contingent and miscellaneous expenses are specifically made, including professional and scientific books, lawbooks, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding $1,500); purchase of atlases or maps; stationery; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges; fuel, lighting, and heating; purchase and exchange of motortrucks and bicycles; purchase, including exchange, of two motor-propelled passenger-carrying vehicles for the general use of the Department; maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles (one for the Secretary of Commerce and two for the general use of the Department), and motortrucks and bicycles, to be used only for official purposes; freight and express charges; postage to foreign countries; telegraph and telephone service; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; first-aid outfits for use in the buildings occupied by employees of this Department; and all other necessary miscellaneous items (not exceeding $50 for any one item) not included in the foregoing, $126,842, which sum shall constitute the appropriation for contingent expenses of the Department, except the Patent Office, and shall also be available for the purchase of necessary supplies and equipment for field services of bureaus and offices of the Department for which contingent and miscellaneous appropriations are specifically made in order to facilitate the purchase through the central purchasing office (Division of Purchases and Sales), as provided by law: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget. Contingent and miscellaneous expenses. Vehicles, etc. *Proviso.* Report to Congress.

Traveling expenses: For all necessary traveling expenses under the Department of Commerce, including all bureaus and divisions thereunder, and traveling expenses for the examinations authorized by the Act entitled "An Act to provide for retirement for disability in the Lighthouse Service", approved March 4, 1925 (U. S. C., title 33, sec. 765), but not including travel properly chargeable to the appropriation herein for "Transportation of families and effects of officers and employees and allowances for living quarters", Bureau of Foreign and Domestic Commerce, $959,000. Traveling expenses. *Post*, p. 762. 43 Stat. 1261. 33 U. S. C. § 765.

Printing and binding.

Printing and binding: For all printing and binding for the Department of Commerce, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Patent Office, $500,000, of which $10,000 shall be immediately available: *Provided*, That an amount not to exceed $2,000 of this appropriation may be expended for salaries of persons detailed from the Government Printing Office for service as copy editors.

Proviso
Detail of copy editors.

Bureau of Air Commerce.

BUREAU OF AIR COMMERCE

Departmental salaries.

Departmental salaries: For personal services in the District of Columbia, $628,000, of which $5,000 shall be immediately available.

Air-navigation facilities.
Establishment of aids, mail routes, etc.

Establishment of air-navigation facilities: For the establishment of additional aids to air navigation, including the equipment of additional air-mail routes for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing aids to air navigation; for personal services in the field; purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and aircraft for official use in field work; special clothing, wearing apparel, and suitable equipment for aviation purposes; and for the acquisition of the necessary sites by lease or grant, $3,037,800, of which $7,500 shall be immediately available: *Provided*, That in addition to the amount herein appropriated, the Secretary of Commerce may, prior to July 1, 1938, enter into contracts for the purchase, construction, and installation of additional air navigation aids not in excess of $2,000,000 and, prior to July 1, 1939, $2,000,000 additional may be obligated under contracts for such purchase, construction and installation of additional air navigation aids: *Provided further*, That the Secretary of Commerce before entering into any such contract shall personally certify that in his opinion it is necessary in the public interest: *Provided further*, That a full report of all such certifications and of all expenditures under this item shall be made to Congress on or before July 1, 1938.

Provisos.
Contracts authorized.

Certificate of necessity.

Report to Congress.

Maintenance and operation.

Maintenance of air-navigation facilities: For all necessary expenses of operation, maintenance, and upkeep of existing aids to air navigation, including purchase, exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles and aircraft; purchase of special clothing, wearing apparel, and suitable equipment for aviation purposes (including rubber boots, snowshoes, and skis); books of reference and periodicals; $5,698,700, of which $58,500 shall be immediately available.

Aircraft in commerce.
Services and expenses.
44 Stat. 568.
49 U. S. C. §§ 171–184.

Aircraft in commerce: To carry out the provisions of the Act approved May 20, 1926, entitled "An Act to encourage and regulate the use of aircraft in commerce, and for other purposes", as amended by the Act approved February 28, 1929, and the Acts approved June 19 and 20, 1934 (U. S. C., title 49, secs. 171–184), including personal services in the field; control of air traffic on civil airways at air terminals, including necessary equipment therefor; rent in the District of Columbia and elsewhere; contract stenographic reporting services; fees and mileage of witnesses; purchase of furniture and equipment; stationery and supplies, including medical supplies, typewriting, adding, and computing machines, accessories, and repairs; purchase, including exchange (not to exceed $5,000), maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work; replacement, by purchase or exchange, of aircraft (not to exceed $200,000); purchase of aircraft motors, aircraft and motor accessories, and spare parts; maintenance, operation, and repair of aircraft and aircraft motors;

Purchase, etc., of airplanes, accessories, etc.

purchase of special clothing, wearing apparel, and similar equipment for aviation purposes; purchase of books of reference and periodicals; newspapers, reports, documents, plans, specifications, maps, manuscripts, and other publications; and all other necessary expenses (not exceeding $50 for any one item) not included in the foregoing; in all, $1,582,000, of which $11,000 shall be immediately available: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Proviso. Report to Congress

Safety and planning: Further to carry out the provisions of the Act approved May 20, 1926, entitled "An Act to encourage and regulate the use of aircraft in commerce, and for other purposes", as amended by the Act approved February 28, 1929, and the Acts approved June 19 and June 20, 1934, through safety research relative to aviation equipment, personnel, and operation methods; including not to exceed $75,000 for personal services in the District of Columbia and not to exceed $80,000 for personal services in the field; including not to exceed $1,000 for the purchase of books of reference and periodicals, reports, documents, plans, specifications, and manuscripts, $292,000.

Safety and planning. 44 Stat. 568; 48 Stat. 1113. 49 U. S. C. §§ 171-184.

The appropriation under title III herein for traveling expenses shall be available in an amount not to exceed $2,000 for expenses of attendance at meetings concerned with the promotion of civil aeronautics, and also expenses of illustrating the work of the Bureau of Air Commerce by showing of maps, charts, and graphs at such meetings when incurred on the written authority of the Secretary of Commerce and shall also be available for payments, at a rate of not to exceed 4 cents per mile, to maintenance and operating personnel, Bureau of Air Commerce, as reimbursement to such personnel of the expenses of the necessary travel in their personally owned automobiles in connection with the maintenance and operation of remotely controlled air-navigation facilities, all of which may be considered as being within the limits of the official post of duty of such personnel. Appropriations herein made for maintenance of air-navigation facilities and aircraft in commerce shall be available in a total amount of not to exceed $15,000 for expenses of packing, crating, and transporting household effects of employees, in any one case not to exceed six thousand pounds, when transferred from one official station to another for permanent duty: *Provided*, That section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Bureau of Air Commerce when the aggregate amount involved does not exceed $100: *Provided further*, That no part of the appropriations made herein for the Bureau of Air Commerce shall be used for any purpose not authorized by the Air Commerce Act of 1926 as amended.

Attendance at meetings.

Transporting household effects.

Provisos. Minor purchases. R. S. § 3709. 41 U. S. C. § 5.

Use restricted.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Bureau of Foreign and Domestic Commerce.

Salaries, expenses, Washington Commerce Service: For the salary of the Director and other personal services in the District of Columbia, including the functions set forth under the Bureau of Foreign and Domestic Commerce, Department of Commerce, Appropriation Act for 1937, approved May 15, 1936, and for every necessary expense connected with collecting and compiling lists of foreign buyers and reports thereon; administration of the China Trade Act in the District of Columbia; collecting and compiling information regarding the restrictions and regulations of trade imposed by foreign countries; establishment, operation, and maintenance of

Salaries and expenses, Washington Commerce Service.

49 Stat. 1333.

China Trade Act, administration.

foreign trade zones in ports of entry of the United States, including contract stenographic reporting services and fees for mileage of witnesses; purchases for use in Washington or the field offices of furniture, equipment, stationery and supplies, typewriting, adding and computing, mimeographing, multigraphing, photostat, and other duplicating machines and devices, including their exchange and repair, telegraph and telephone service, accessories and repairs, books of reference, newspapers, periodicals, reports, documents, plans and specifications, freight, express, and drayage, streetcar fares, $543,800:

Proviso. Report to Congress.

Provided, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Domestic commerce and raw-materials investigations.

Domestic commerce and raw-materials investigations: For personal services of officers and employees to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the disposition and handling of raw materials and manufactures within the United States; and to investigate the conditions of production and marketing of foreign raw materials essential for American industries, $330,000.

District and cooperative office service.

District and cooperative office service: For all expenses necessary to operate and maintain district and cooperative offices, including personal services, rent outside of the District of Columbia, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories, and repairs, purchase of maps, books of reference, and periodicals, reports, documents, plans, specifications, manuscripts, newspapers, both foreign and domestic (not exceeding $300), and all other publications necessary for the promotion of the commercial interests of the United States, and all other necessary incidental expenses (not exceeding $50 in any one case) not included in the foregoing, $323,000:

Proviso. Report to Congress.

Provided, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Customs statistics. Expenses of collecting, etc.

42 Stat. 1109. 15 U. S. C. § 194.

Customs statistics: For all expenses necessary for the operation of the section of customs statistics transferred to the Department of Commerce from the Treasury Department by the Act approved January 5, 1923 (U. S. C., title 15, sec. 194) and expenses connected with the monthly publication of statistics showing the United States exports and imports by customs districts and destinations, including personal services in the District of Columbia (not to exceed $120,000) and elsewhere; rent of or purchase of tabulating, punching, sorting, and other mechanical labor-saving machinery or devices, including adding, typewriting, billing, computing, mimeographic, multigraphing, photostat, and other duplicating machines and devices, including their exchange and repair; telegraph and telephone service; freight, express, drayage; tabulating cards, stationery, and miscellaneous office supplies; books of reference and periodicals; furniture and equipment; ice, water, heat, light, and power; streetcar fare; and all other necessary incidental expenses (not exceeding $50 in any one case) not included in the foregoing; $403,000:

Proviso. Report to Congress. Sum immediately available.

Provided, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget, of which sum not to exceed $20,000 shall be available immediately.

Export industries. Investigations and reports.

Export industries: To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing, insofar as they relate to the important export industries of the United States, including personal services, purchase of furniture and equipment, stationery and supplies, typewriting, adding and computing machines, accessories and repairs, books of reference and periodicals,

reports, documents, plans, specifications, manuscripts, and all other publications, rent outside of the District of Columbia, ice and drinking water for office purposes, and all other necessary incidental expenses (not exceeding $50 in any one case) connected therewith, $520,000: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Proviso. Report to Congress.

Salaries and expenses, Foreign Commerce Service: For the promotion and development of the foreign commerce of the United States and for carrying out the provisions of the Act approved March 3, 1927, as amended (U. S. C., title 15, secs. 197–197f, 198), to establish in the Bureau of Foreign and Domestic Commerce, Department of Commerce, a Foreign Commerce Service of the United States, including personal services in the District of Columbia and elsewhere, the compensation of a clerk or clerks for each commercial attaché at a rate not to exceed $3,000 per annum for each person so employed, and to carry out the provisions of the Act entitled "China Trade Act, 1922", including rent outside of the District of Columbia, the purchase of necessary furniture and equipment, loss by exchange, stationery and supplies, typewriting, adding, duplicating, and computing machines, accessories and repairs, law books, books of reference, and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers (not exceeding $2,500), ice and drinking water for office purposes, and for every necessary incidental expense (not exceeding $50 in any one case) not included in the above. The purchase of supplies and equipment or the procurement of services in foreign countries may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5) in the manner common among businessmen when the aggregate amount of the purchase or the service does not exceed $100 in any instance; Foreign Commerce Service officers are authorized to enter into leases for office quarters, payment in advance for rent, telephone, or other charges required by the customs of the country is hereby authorized; and for all other necessary expenses (not exceeding $50 in any one case) not included in the foregoing, $778,000: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Foreign Commerce Service.

44 Stat. 1394. 15 U. S. C. §§ 197-197f, 198.

Personal services.

China Trade Act, enforcement 15 U. S. C. §§ 141-162.

Supplies, etc.

R. S. § 3709. 41 U. S. C. § 5.

Proviso. Report to Congress.

Transportation of families and effects of officers and employees and allowances for living quarters: To pay the traveling expenses and expenses of transportation, under such regulations as the Secretary of Commerce may prescribe, of families and effects of officers and employees of the Bureau of Foreign and Domestic Commerce in going and returning from their posts, or when traveling under the order of the Secretary of Commerce, and also for defraying the expenses of preparing and transporting the remains of officers and employees of the Bureau of Foreign and Domestic Commerce who may die abroad or in transit, while in the discharge of their official duties, to their former homes in this country, or to a place not more distant, for interment, and for the ordinary expenses of such interment; to enable the Secretary of Commerce, under such regulations as he may prescribe, in accordance with the provisions of the Act entitled "An Act to amend the Act entitled 'An Act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce, a Foreign Commerce Service of the United States, and for other purposes', approved March 3, 1927", approved April 12, 1930 (U. S. C., title 15, sec. 197F), to furnish the officers in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed in a foreign country, without cost to them and

Transportation of families and effects of officers and employees.

Bringing home remains of officers, etc., dying abroad.

Allowances for living quarters. 44 Stat. 1395; 46 Stat. 163. 15 U. S. C. § 197b(f).

R. S. § 1765.
5 U. S. C. § 70.
Proviso.
Maximum allowance.

within the limits of this appropriation, allowances for living quarters, heat, and light, notwithstanding the provisions of section 1765 of the Revised Statutes (U. S. C., title 5, sec. 70), $143,800: *Provided*, That the maximum allowance to any officer shall not exceed $1,700.

Attendance at meetings, etc.

The appropriation herein under title III for traveling expenses shall be available in an amount not to exceed $5,000 for expenses of attendance at meetings concerned with the promotion of foreign and domestic commerce, or either, and also expenses of illustrating the work of the Bureau of Foreign and Domestic Commerce by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce.

Census Bureau.

BUREAU OF THE CENSUS

Services and expenses.

For expenses for securing information for and compiling the census reports provided for by law, including personal services in the District of Columbia and elsewhere; compensation and expenses of enumerators, special agents, supervisors, supervisor's clerks, and interpreters in the District of Columbia and elsewhere; the cost of transcribing State, municipal, and other records; temporary rental of quarters outside the District of Columbia; not to exceed $2,500 for the employment by contract of personal services for the preparation of monographs on census subjects; not to exceed $54,000 for constructing tabulating machines and repairs to such machinery and other mechanical appliances, including technical, mechanical, and other personal services in connection therewith in the District of Columbia and elsewhere, and the purchase of necessary machinery and supplies, $1,990,000 of which amount not to exceed $1,530,000 may be expended for personal services in the District of Columbia, including not to exceed $120,000 for temporary employees who may be appointed by the Director of the Census under civil-service rules, at per-diem rates to be fixed by him without regard to the provisions of the Classification Act of 1923, as amended, for the purpose of assisting in periodical inquiries.

Monographs.

Tabulating machines.
Services in the District.

Temporary employees.
5 U. S. C. §§661–674.

Attendance at meetings, etc.

The appropriation under title III herein for traveling expenses shall be available for the Census Bureau, in an amount not to exceed $500, for attendance at meetings concerned with the collection of statistics when incurred on the written authority of the Secretary of Commerce.

Social Security Act, salaries and expenses.
42 U. S. C., Supp. II, ch. 7.

Salaries and expenses, Social Security Act: For salaries and necessary expenses for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, approved August 14, 1935 (U. S. C., Supp. I, title 42, ch. 7), including personal services in the District of Columbia; binding records; supplies; services; repair to, and replacement parts for, office and mechanical equipment for the reproduction of census records, $25,000: *Provided*, That the procedure hereunder for the furnishing from census records of evidence for the establishment of age of individuals shall be pursuant to regulations approved jointly by the Secretary of Commerce and the Social Security Board.

Proviso.
Furnishing evidence for establishing age, etc.

Preparatory expenses, sixteenth census.

Expenses of the sixteenth census: For expenses preparatory to the taking of the sixteenth decennial census, including temporary employees who may be appointed by the Director of the Census under the civil-service rules for any period not to exceed June 30, 1942, at per-diem rates to be fixed by the Director of the Census without regard to the Classification Act of 1923, as amended; materials, supplies, equipment, services, and tabulation cards; $50,000, of which amount not to exceed $35,000 may be expended for personal services in the District of Columbia.

BUREAU OF MARINE INSPECTION AND NAVIGATION

Bureau of Marine Inspection and Navigation.

Departmental salaries: For the Director and other personal services in the District of Columbia, $297,540.

Departmental salaries.

Salaries and general expenses: For salaries of shipping commissioners, inspectors, and other personal services; to enable the Secretary of Commerce to provide and operate such motor boats and employ such persons (including temporary employees) as may be necessary for the enforcement, under his direction, of laws relating to navigation and inspection of vessels, boarding of vessels, counting of passengers on excursion boats to prevent overcrowding, and to secure uniformity in the admeasurement of vessels; fees to witnesses; materials, supplies, equipment, and services, including rent and janitor service; purchase, exchange, and repair of instruments; plans and specifications; insignia, braid, and chin straps; coats, caps, and aprons for stewards' departments on vessels; and other incidental expenses of field offices, including contract stenographic reporting services in the District of Columbia and elsewhere; $2,114,460, of which not to exceed $50,000 may be used for the purchase by the Bureau of the boat "Waleda II": *Provided*, That $90,000 of the amount herein appropriated shall be available only for the payment of extra compensation for overtime services of local inspectors of steam vessels and their assistants, and United States shipping commissioners and their deputies and assistants, for which the United States receives reimbursement in accordance with the provisions of section 6 of the Act of May 27, 1936 (49 Stat., p. 1380).

Salaries and general expenses

"Waleda II", boat, purchase.

Proviso.
Local inspectors, overtime pay.

49 Stat. 1385.
46 U. S. C., Supp. II, § 382b.

NATIONAL BUREAU OF STANDARDS

Bureau of Standards

Salaries and expenses: For carrying out the provisions of the Act establishing the National Bureau of Standards, approved March 3, 1901 (U. S. C., title 5, secs. 591, 597; title 15, secs. 271–278), and of Acts supplementary thereto affecting the functions of the Bureau, and specifically including the functions as set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", approved April 7, 1934, and for all necessary expenses, purchases, and personnel connected with administration and operation, testing, inspection and technical information service, research and development, and standards for commerce, including rental of laboratories in the field, communication service, transportation service; street-car fares not exceeding $100, expenses of the visiting committee, attendance of American member at the meeting of the International Committee of Weights and Measures; compensation and expenses of medical officers of the Public Health Service detailed to the National Bureau of Standards for the purpose of maintaining a first-aid station and making clinical observations; compiling and disseminating scientific and technical data; demonstrating the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchases of supplies, materials, stationery, electric power, fuel for heat, light, and power, and accessories of all kinds needed in the work of the Bureau, including supplies for office, laboratory, shop, and plant, and cleaning and toilet supplies, gloves, goggles, rubber boots, and aprons; contingencies of all kinds; supplies for operation, maintenance, and repair of motortrucks and a passenger automobile for official use, including their exchange; purchases of equipment of all kinds, including its repair and exchange, including apparatus, machines, and tools, furniture, typewriters, adding machines, and other labor-saving devices, books, periodicals, and reference books, including their exchange when not needed for permanent use; trans-

Salaries and expenses.
31 Stat. 1449.
5 U. S. C. §§ 591, 597; 15 U. S. C. §§ 271–278.

48 Stat. 552.

Attendance at meeting of International Committee of Weights and Measures.
Detailed Public Health Service officers.

Supplies, etc.

Equipment.

Salaries.

lation of technical articles when required; salary of the director and other personal services in the District of Columbia and in the field, in accordance with the Classification Act of 1923, as amended.

Operation, etc.

Operation and administration: For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; necessary repairs and alterations to buildings; $272,000.

Testing, inspection, and information service.

Testing, inspection, and information service: For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the broadcasting of radio signals of standard frequency; the testing of equipment, materials, and supplies in connection with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and technical matters; and supplying available information to the public, upon request, in the field of physics, chemistry, and engineering, $837,000.

Research and development.

Research and development: For the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the study of conditions affecting radio transmission; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; and the solutions of problems arising in connection with standards, $701,000.

Standards for commerce.

Standards for commerce: For cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; for encouraging the application of the latest developments in the utilization and standardization of building materials; for the development of engineering and safety codes, simplified-practice recommendations, and commercial standards of quality and performance, $110,000.

Investigation of building materials.

Investigation of building materials: For personal services in the District of Columbia and elsewhere and all other necessary expenses for the first year of a two-year study of the properties and suitability of building materials, with particular reference to their use in low-cost housing, including the construction of such experimental structures as may be necessary for this purpose; and the publication and dissemination of the results thereof, $198,000: *Provided*, That no part of this sum shall be used to duplicate any work now being performed by the Forest Products Laboratory of the Department of Agriculture.

Proviso. Work restriction.

Cooperative work with departments, etc., on scientific investigations.

During the fiscal year 1938 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the National Bureau of Standards on scientific investigations within the scope of the functions of that Bureau, and which the National Bureau of Standards is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Commerce, transfer to the National Bureau of Standards such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the National Bureau of Standards for performance of

Transfer of funds.

work for the department or establishment from which the transfer is made, including, where necessary, compensation for personal services in the District of Columbia and in the field.

The appropriation under title III herein for traveling expenses shall be available for the Bureau of Standards in an amount not to exceed $3,000 for attendance at meetings concerned with standardization and research or either, when incurred on the written authority of the Secretary of Commerce.

Attendance at meetings.
Ante, p. 283.

Total, National Bureau of Standards, $2,118,000, of which amount not to exceed $1,875,000 may be expended for personal services in the District of Columbia.

Total; services in the District.

BUREAU OF LIGHTHOUSES

Bureau of Lighthouses.

Salaries: For the Commissioner and other personal services in the District of Columbia, $125,000.

Salaries.

General expenses: For supplies, including replacement of and necessary additions to existing equipment, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks, and purchase of land for same; establishment of post lights, buoys, submarine signals, and fog signals; construction of necessary outbuildings, including oil houses at light stations, at a cost not exceeding $2,500 at any one light station in any fiscal year; improvement of grounds and buildings connected with light stations and depots; restoring light stations and depots and buildings connected therewith: *Provided*, That such restoration shall be limited to the original purpose of the structures; wages of persons attending post lights; temporary employees and field force while engaged on works of general repair and maintenance, and laborers and mechanics at lighthouse depots; rations and provisions or commutation thereof for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Lighthouse Service on duty on board of such tenders or vessels, and money accruing from commutation for rations and provisions for the abovenamed persons on board of tenders and light vessels or in working parties in the field may be paid on proper vouchers to the person having charge of the mess of such vessel or party; not exceeding $3,500 for packing, crating, and transporting personal household effects of employees, not to exceed six thousand pounds in any one case, when transferred from one official station to another for permanent duty; purchase of rubber boots, oilskins, rubber gloves, goggles, and coats, caps, and aprons for stewards' departments on vessels; reimbursement under rules prescribed by the Secretary of Commerce of keepers of light stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them, not exceeding in all $1,000 in any fiscal year; fuel, light, and rent of quarters where necessary for keepers of lighthouses; purchase of land sites for fog signals; rent of necessary ground for all such lights and beacons as are for temporary use or to mark changeable channels and which in consequence cannot be made permanent; rent of offices, depots, and wharves; mileage; library books for light stations and vessels, and technical books and periodicals not exceeding $750; traveling expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses; all other contingent expenses of district offices and depots, including the purchase of provisions for sale to

General expenses.
Aids to navigation.
Post, p. 763.

Proviso.
Restoration limited to original purpose.
Personal services.

Transportation of effects.

Rations, clothing, etc.

Vehicles.

Payment of rewards.

35 Stat. 162
33 U. S. C. § 761.

lighthouse keepers at isolated stations, and the appropriation reimbursed; purchase (not to exceed $5,000), exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work; payment of rewards for the apprehension and conviction, or for information helpful to the apprehension and conviction of persons found interfering with aids to navigation maintained by the Lighthouse Service, in violation of section 6 of the Act of May 14, 1908 (U. S. C., title 33, sec. 761); $4,137,000.

Special projects, vessels, and aids to navigation.

Special projects, vessels, and aids to navigation: For constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service as may be specifically approved by the Secretary of Commerce, not to exceed $796,000; and for establishing and improving aids to navigation and other works as may be specifically approved by the Secretary of Commerce, $500,000; in all,

Availability.

$1,296,000, which sums shall be available for all expenditures, directly relating to the respective projects which are approved by the Secretary of Commerce.

Keepers of lighthouses.

Keepers of lighthouses: For salaries of not exceeding one thousand four hundred lighthouse and fog-signal keepers and persons attending lights, exclusive of post lights, $1,853,000.

Lighthouse vessels.

Lighthouse vessels: For salaries and wages of officers and crews of light vessels and lighthouse tenders, including temporary employment when necessary, $2,226,000.

Superintendents, clerks, etc.

Superintendents, clerks, and so forth: For salaries of eighteen superintendents of lighthouses, and of assistant superintendents, clerks, draftsmen, and other authorized permanent employees in the district offices and depots of the Lighthouse Service, exclusive of those regularly employed in the office of the Bureau of Lighthouses, District of Columbia, $729,900.

Retired pay.

Retired pay: For retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices and shops, $654,000.

Coast and Geodetic Survey.

COAST AND GEODETIC SURVEY

Expenses.

For every expenditure requisite for and incident to the work of the Coast and Geodetic Survey, including maintenance, repair, exchange, and operation of motor-propelled or horse-drawn vehicles for official use in field work, purchase of motorcycles with side cars, including their exchange, not to exceed $500, surveying instruments, including their exchange, rubber boots, canvas and rubber gloves, goggles, and caps, coats, and aprons for stewards' departments on vessels, extra compensation at not to exceed $1 per day for each station to employees of the Lighthouse Service and the Weather Bureau while observing tides or currents or tending seismographs, services of one tide observer in the District of Columbia at not to exceed $1 per day, and compensation, not otherwise appropriated for, of persons employed in the field work, for operation, maintenance and repair of an airplane for photographic survey, and expenses incident to the execution of field work upon approval by the head of the Bureau, to be expended in accordance with the regulations relating to the Coast and Geodetic Survey subscribed by the Secretary of Commerce, and under the following heads:

Field expenses. Atlantic and Gulf coasts.

Field expenses, Atlantic and Gulf coast: For surveys and necessary resurveys of the Atlantic and Gulf coasts of the United States, including the coasts of outlying islands under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through sea water and one temporary engineer to develop

instruments for aerial photographic surveying, $114,000: *Provided*, That not more than $35,000 of this amount shall be expended on the coasts of said outlying islands and the Atlantic entrance to the Panama Canal;

Proviso. Outlying islands; Atlantic entrance to Panama Canal

Pacific coast: For surveys and necessary resurveys of coasts on the Pacific Ocean under the jurisdiction of the United States, and including the employment in the field and office of one physicist to develop survey methods based on transmission of sound through sea water, $163,000;

Pacific coast.

Tides, currents, and so forth: For continuing researches in physical hydrography, relating to harbors and bars, and for tidal and current observations on the coasts of the United States, or other coasts under the jurisdiction of the United States, $12,700;

Physical hydrography

Coast Pilot: For compilation of the Coast Pilot, including the employment of such pilots and nautical experts, and stenographic help in the field and office as may be necessary for the same, $4,200;

Coast Pilot.

Magnetic and seismological work: For continuing magnetic and seismological observations and to establish meridian lines in connection therewith in all parts of the United States; making magnetic and seismological observations in other regions under the jurisdiction of the United States; purchase of additional magnetic and seismological instruments; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; and including the employment in the field and office of such magnetic and seismological observers, and instrument makers and stenographic services as may be necessary, $58,500;

Magnetic and seismological work

Federal, boundary, and State surveys: For continuing lines of exact levels between the Atlantic, Pacific, and Gulf coasts; determining geographic positions by triangulation and traverse for the control of Federal, State, boundary, county, city, and other surveys and engineering works in all parts of the United States; including special geodetic surveys of first-order triangulation and leveling in regions subject to earthquakes, not exceeding $10,000; determining field astronomic positions and the variation of latitude, including the maintenance and operation of the latitude observatories at Ukiah, California, and Gaithersburg, Maryland, not exceeding $2,500 each; establishing lines of exact levels, determining geographic positions by triangulation and traverse, and making astronomic observations in Alaska; and continuing gravity observations in the United States and for making such observations in regions under the jurisdiction of the United States and also on islands and coasts adjacent thereto, $93,000, of which amount not to exceed $35,440 may be expended for personal services in the District of Columbia;

Federal, boundary, and State surveys

Ukiah and Gaithersburg observatories.

Alaska.

Miscellaneous objects: For the preparation or purchase of plans and specifications of vessels and the employment of such hull draftsmen in the field and office as may be necessary for the same; the reimbursement, under rules prescribed by the Secretary of Commerce, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them, not to exceed a total of $500; actual necessary expenses of officers of the field force temporarily ordered to the office in the District of Columbia for consultation with the director, and not exceeding $3,000 for special surveys that may be required by the Bureau of Lighthouses or other proper authority, $3,600;

Miscellaneous objects.

Relief of distressed persons.

Vessels: For repair of vessels, exclusive of engineer's supplies and other ship chandlery, $68,300;

Vessels, repair, etc.

Officers and men on vessels, pay.

Pay of officers and men on vessels: For all necessary employees to man and equip the vessels, including professional seamen serving as mates on vessels of the Survey, to execute the work of the Survey herein provided for and authorized by law, $580,000;

Commissioned officers, pay and allowances.

Pay, commissioned officers: For pay and allowances prescribed by law for commissioned officers on sea duty and other duty, holding relative rank with officers of the Navy, including one director, six hydrographic and geodetic engineers with relative rank of captain, ten hydrographic and geodetic engineers with relative rank of commander, seventeen hydrographic and geodetic engineers with relative rank of lieutenant commander, forty-seven hydrographic and geodetic engineers with relative rank of lieutenant, sixty-one junior hydrographic and geodetic engineers with relative rank of lieutenant (junior grade), twenty-nine aides with relative rank of ensign, and including officers retired in accordance with existing law, $815,000: *Provided*, That the Secretary of Commerce may designate one of the hydrographic and geodetic engineers to act as assistant director;

Proviso Assistant director.

Office force.

Office force: For personal services, $572,000;

Office expenses.

Office expenses: For purchase of new instruments (except surveying instruments), including their exchange, materials, equipment, replacement of one proving press, and supplies required in the instrument shop, carpenter shop, and chart division; books, scientific and technical books, journals, books of reference, maps, charts, and subscriptions; copper plates, chart paper, printer's ink, copper, zinc and chemicals for electrotyping and photographing; engraving, printing, photographing, rubber gloves, and electrotyping supplies; photolithographing and printing charts for immediate use; stationery for office and field parties; transportation of instruments and supplies when not charged to party expenses; telegrams; washing; office furniture, repairs; miscellaneous expenses, contingencies of all kinds, not exceeding $90 for street-car fares, $59,600;

Aeronautical charts.

Aeronautical charts: For compilation and printing of aeronautical charts, including personal services in the District of Columbia (not to exceed $85,500), operation of an airplane for check flights, and aerial photographs, execution of ground surveys at air terminals, and the purchase of drafting, photographic, photolithographic, and printing supplies and equipment, $105,500.

Subsistence restrictions.

Appropriations herein made for traveling expenses or for the Coast and Geodetic Survey shall not be available for allowance to civilian or other officers for subsistence while on duty at Washington (except as hereinbefore provided for officers of the field force ordered to Washington for short periods for consultation with the director), except as now provided by law.

Attendance at meetings.
Ante, p. 283.

The appropriation under title III herein for traveling expenses shall be available, in an amount not to exceed $150, for expenses of attendance at meetings concerned with the work of the Coast and Geodetic Survey when incurred on the written authority of the Secretary of Commerce.

Bureau of Fisheries.

BUREAU OF FISHERIES

Commissioner's office.

Commissioner's office: For the Commissioner and other personal services in the District of Columbia, $150,400.

Propagation of food fishes.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, acquisition, and operation of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars and not to exceed $15,000 for purchase of trucks for fish distribution; maintenance, repair, and operation of motor-propelled passenger-carrying

vehicles for official use in the field; purchase of equipment (including rubber boots and oilskins), and apparatus; contingent expenses; pay of permanent employees not to exceed $387,030; temporary labor; not to exceed $10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, and not to exceed $10,000 for the purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, of which not to exceed $5,000 may be expended for personal services in the District of Columbia, $929,000, including not to exceed $260,000 to establish or commence the establishment of those stations authorized by the Act approved May 21, 1930 (46 Stat. 371), for which the need is most urgent, and for the further development of stations heretofore established pursuant to the provisions of said Act, including the acquisition of necessary land, construction of buildings and ponds, water supply, improvements to grounds, purchase of equipment, and all other necessary expenses.

Permanent employees, pay; limitation.

Establishing stations.

46 Stat 371.

Maintenance of vessels: For maintenance and operation of vessels and launches, including purchase and repair of boats, apparatus, machinery, and other facilities required for use with the same, hire of vessels, temporary employees, and all other necessary expenses in connection therewith, including not to exceed $750 for the purchase of plans and specifications for vessels or for contract personal services for the preparation thereof, and money accruing from commutation of rations and provisions on board vessels may be paid on proper vouchers to the persons having charge of the mess of such vessels, $168,000, of which not to exceed $13,460 may be expended for pay of officers and employees of vessels of the Atlantic coast, and not to exceed $75,000 for pay of officers and crews of vessels for the Alaska Fisheries Service.

Maintenance of vessels.

Allotment for Atlantic coast and Alaska Fisheries Service.

Commutation of rations (not to exceed $1 per day) may be paid to officers and crews of vessels of the Bureau of Fisheries during the fiscal year 1938 under regulations prescribed by the Secretary of Commerce.

Commutation of rations.

Inquiry respecting food fishes: For inquiry into the cause of the decrease of food fishes in the waters of the United States, and for investigation and experiments in respect to the aquatic animals, plants, and waters, and screening of irrigation ditches and fishways, in the interests of fish culture and the fishery industries, including pay of permanent employees not to exceed $179,000; temporary employees, maintenance, repair, improvement, equipment, and operation of biological stations, preparation of reports, and not to exceed $500 for rent of suitable quarters in the District of Columbia for laboratory and storage purposes, $262,000.

Food fishes inquiry.

Fishery industries: For collection and compilation of statistics of the fisheries and the study of their methods and relations, and the methods of preservation and utilization of fishery products, and to enable the Secretary of Commerce to execute the functions imposed upon him by the Act entitled "An Act authorizing associations of producers of aquatic products", approved June 25, 1934 (48 Stat., p. 1213), including pay of permanent employees not to exceed $60,000 of which amount not exceeding $8,620 may be expended for personal services in the District of Columbia, compensation of temporary employees, preparation of reports, contract stenographic reporting services, temporary employees in the District of Columbia not to exceed $2,600, and all other necessary expenses (not exceeding $50 in any one case) in connection therewith, including the purchase (not to exceed $1,100), exchange, maintenance, repair, and operation of motor-propelled, passenger-carrying vehicles for official use in the

Fishery industries Statistical studies.

Cooperative associations of producers of aquatic products.

48 Stat. 1213.
15 U. S. C. § 521.

Proviso. Report to Congress.

field work of the Bureau of Fisheries, $73,600: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Fishery market news service.

Fishery market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, information on the fishery industry, information on market supply and demand, commercial movement, location, disposition, and market prices of fishery products, with or without cooperation with any department or agency of the United States, or any State or Territory, or subdivision thereof, compensation of temporary employees, purchase of equipment and supplies, travel and preparation of reports, printing and binding, and all other necessary expenses (not exceeding $50 in any one case) connected therewith, $75,000, including pay of permanent employees, of which not to exceed $8,000 may be expended for personal services in the District of Columbia: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Proviso. Report to Congress

Alaska, general service. Seal fisheries.

Alaska, general service: For protecting the seal fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; not exceeding $20,000 for construction, improvement, repair, and alteration of buildings and roads, transportation of supplies to and from the islands, subsistence of agents and other employees while on said islands, hire and maintenance of vessels, purchase of sea otters, and for all expenses necessary to carry out the provisions of the Act entitled "An Act to protect the seal fisheries of Alaska, and for other purposes", approved April 21, 1910 (U. S. C., title 16, secs. 631–658), and for the protection of the fisheries of Alaska, including pay of permanent employees not to exceed $69,900, contract stenographic reporting service, hire of boats, employment of temporary labor, and all other necessary expenses (not exceeding $50 in any one case) connected therewith, $274,000, of which $100,000 shall be available immediately: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

36 Stat. 326. 16 U. S. C. §§ 631–658.

Proviso Report to Congress.

Black-bass law, enforcement 44 Stat 576, 46 Stat. 845. 16 U. S. C. §§ 851–856.

Enforcement of black-bass law: To enable the Secretary of Commerce to carry into effect the Act entitled "An Act to amend the Act entitled 'An Act to regulate interstate transportation of black bass, and for other purposes', approved May 20, 1926" (U. S. C., title 16, secs. 851–856), approved July 2, 1930 (46 Stat., pp. 845–847), $13,500, of which not to exceed $7,400 may be expended for personal services in the District of Columbia.

Mississippi Wild Life and Fish Refuge. Construction, maintenance, etc.

Mississippi Wild Life and Fish Refuge: For construction of buildings, boats, and ponds, for purchase of equipment, including boats, for maintenance, operation, repair, and improvements, including expenditures for personal services at the seat of government and elsewhere as may be necessary, as authorized in the Act approved June 7, 1924 (U. S. C., title 16, secs. 721–731), $17,900.

43 Stat. 650. 16 U. S. C. §§ 721–731.

Whaling Treaty Act, expenses under. 49 Stat. 1246. 16 U. S. C., Supp. II. §§ 901–915.

Whaling Treaty Act: To enable the Secretary of Commerce to execute the functions imposed upon him by "The Whaling Treaty Act", approved May 1, 1936 (49 Stat. p. 1246), preparation of reports, and all other necessary expenses, $3,600, of which not to exceed $3,200 may be expended for personal services in the District of Columbia.

Attendance at meetings.

The appropriation herein under title III for traveling expenses shall be available, in an amount not to exceed $750, for expenses of attendance at meetings concerned with the work of the Bureau of Fisheries when incurred on the written authority of the Secretary of Commerce.

PATENT OFFICE

Patent Office

Salaries: For the Commissioner of Patents and other personal services in the District of Columbia, $3,380,000: *Provided*, That of the amount herein appropriated not to exceed $25,000 may be used for special and temporary services of typists certified by the Civil Service Commission, who may be employed in such numbers, at $4 per diem, as may, in the judgment of the Commissioner of Patents, be necessary to keep current the work of furnishing manuscript copies of records.

Salaries, Commissioner and office personnel.
Proviso.
Temporary typists.

Photolithographing: For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade marks, and other papers, such other papers when reproduced for sale to be sold at not less than cost plus 10 per centum; reproduction of foreign patent drawings; photo prints of pending application drawings; and photostat and photographic supplies and dry mounts, $190,000.

Photolithographing.

The headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography.

Multigraphed headings

Miscellaneous expenses: For purchase and exchange of law, professional, and other reference books and publications and scientific books; expenses of transporting publications of patents issued by the Patent Office to foreign governments; directories, furniture and filing cases; for investigating the question of public use or sale of inventions for two years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of suits instituted against the Commissioner of Patents and for other contingent and miscellaneous expenses of the Patent Office, $47,000.

Miscellaneous expenses.

Printing and binding: For printing the weekly issue of patents, designs, trade marks, prints, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, $890,000; for miscellaneous printing and binding, $75,000; in all, $965,000.

Printing and binding.

The Appropriation under title III herein for traveling expenses shall be available, in an amount not to exceed $500, for expenses of attendance at meetings concerned with the work of the Patent Office when incurred on the written authority of the Secretary of Commerce.

Attendance at meetings

This title may be cited as the "Department of Commerce Appropriation Act, 1938".

Short title.

TITLE IV—DEPARTMENT OF LABOR

Department of Labor.

OFFICE OF THE SECRETARY

Office of the Secretary.

Salaries: Secretary of Labor, Assistant Secretary, Second Assistant Secretary, and other personal services in the District of Columbia, $323,500: *Provided*, That persons (not exceeding ten in number) now employed in the determination of wages pursuant to the provisions of the Act entitled "An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings", approved August 30, 1935, may be continued in such employment and paid from the amount herein appropriated without regard to the provisions of the civil-service laws requiring competitive examinations.

Salaries.
Proviso.
Personnel determining wage rates retained.
49 Stat. 1011.
40 U. S. C., Supp. II, §§ 276a–276a–6.

Salaries and expenses, Division of Labor Standards: For salaries and expenses in connection with the promotion of health, safety, employment, stabilization, and amicable industrial relations for

Division of Labor Standards.
Post, p. 767.

labor and industry, $135,400, of which amount not to exceed $90,000 may be expended for personal services in the District of Columbia.

Attendance at conferences, etc.

The appropriation under title IV for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Division of Labor Standards when called by the Division of Labor Standards with the written approval of the Secretary of Labor, and shall be available also in an amount not to exceed $2,000 for expenses of attendance at meetings related to the work of the Division of Labor Standards when incurred on the written authority of the Secretary of Labor.

Contingent expenses.

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloths, file cases, towels, ice, brooms, soap, sponges, laundry, street-car fares not exceeding $400; purchase, exchange, maintenance, and repair of motorcycles and motor trucks; purchase of a passenger-carrying automobile for the general use of the Department and maintenance, operation, and repair of two motor-propelled passenger-carrying vehicles, to be used only for official purposes; freight and express charges; newspaper clippings not to exceed $1,200, postage to foreign countries, telegraph and telephone service, typewriters, adding machines, and other labor-saving devices; purchase and exchange of law books, books of reference, newspapers and periodicals, and, when authorized by the Secretary of Labor, dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding $4,500; contract stenographic services; all other necessary miscellaneous expenses (not exceeding $50 in any one case) not included in the foregoing; and not to exceed $25,000 for purchase of certain supplies for the Immigration and Naturalization Service; in all, $115,100: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Department of Labor when the aggregate amount involved does not exceed the sum of $100: *Provided*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

Provisos.
Minor purchases.
R. S. § 3709.
41 U. S. C. § 5.

Report to Congress.

Traveling expenses.
Post, p. 767.

Traveling expenses: For all traveling expenses, except travel expenses incident to the deportation of aliens, under the Department of Labor, including all bureaus and divisions thereunder, $666,900.

Printing and binding.
Post, p. 767.

Printing and binding: For printing and binding for the Department of Labor, including all its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $250,000.

Commissioners of conciliation.
37 Stat. 738.
5 U. S. C. § 619.

Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (U. S. C., title 5, sec. 611) and to appoint commissioners of conciliation, telegraph and telephone service, and not to exceed $80,000 for personal services in the District of Columbia, $273,000: *Provided*, That persons now employed in such conciliation work pursuant to authority contained under this head in the Second Deficiency Appropriation Act, fiscal year 1935, may be continued in such employment and paid from the amount herein appropriated.

Proviso.
Continuance of employment.

International Labor Organization, Geneva.
Liaison with; expenses.
48 Stat. 1182.

Liaison with the International Labor Organization, Geneva, Switzerland, salaries and expenses: For a United States Labor Commissioner and other personal services in Geneva, Switzerland; compensation of interpreters, translators, and porters; transportation of

employees, their families, and effects, in going to and returning from foreign posts; rent, heat, light, and fuel; hire, maintenance, and operation of motor-propelled, passenger-carrying vehicles; purchase and exchange of foreign and domestic books, periodicals, and newspapers; purchase of furniture, stationery, and supplies; printing and binding; postage; telephone and other similar expenses, for which payment may be made in advance; necessary technical or special investigations in connection with matters falling within the scope of the International Labor Organization; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed $1,700 for any person, and contingent and such other expenses in the United States and elsewhere as the Secretary of Labor may deem necessary, $21,000.

Printing and binding.

Living quarters.
46 Stat. 818.
5 U. S. C. § 118a.

Division of Public Contracts, salaries and expenses: For personal services in the District of Columbia and elsewhere, in performing the duties imposed by the "Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (49 Stat., p. 2036), including supplies, stationery, printing and binding, telephone service, telegrams, furniture, office equipment, contract stenographic reporting services, and other necessary expenses, $315,000.

Division of Public Contracts.
Salaries and expenses.
49 Stat. 2036.
41 U. S. C., Supp. II, §§ 35–45.

BUREAU OF LABOR STATISTICS

Bureau of Labor Statistics.

Salaries and expenses: For personal services, including temporary statistical clerks, stenographers, and typewriters in the District of Columbia, and including also experts and temporary assistants for field service outside of the District of Columbia; purchase of periodicals, documents, envelopes, price quotations, and reports and materials for reports and bulletins of said Bureau, $784,000, of which amount not to exceed $658,000 may be expended for the salary of the Commissioner and other personal services in the District of Columbia.

Salaries and expenses.

The appropriation for traveling expenses in title IV shall be available, in an amount not to exceed $2,000, for expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor.

Attendance at meetings.

IMMIGRATION AND NATURALIZATION SERVICE

Immigration and Naturalization Service.

Salaries and expenses: For enforcement of the laws regulating the immigration to, the residence in, and the exclusion and deportation from the United States of aliens and persons subject to the Chinese exclusion laws; for enforcement of the laws authorizing a uniform rule for the naturalization of aliens; salaries, and other expenses of officers, clerks, and other employees appointed to enforce said laws; care, detention, maintenance, transportation and traveling expenses incident to the deportation and exclusion of aliens and persons subject to the Chinese exclusion laws, as authorized by law, in the United States and to, through, or in foreign countries; purchase of supplies and equipment, including alterations and repairs; purchase, exchange, operation, maintenance, and repair of motor-propelled vehicles, including passenger-carrying vehicles for official use in field work; arms, ammunition and accessories; cost of reports of decisions of the Federal courts and digests thereof for official use; verifications of legal papers; refunding of head tax, maintenance bills, and immigration fines, upon presentation of evidence showing conclusively that collection and deposit was made through error; mileage and fees to witnesses subpenaed on behalf of the United States, and for all other expenses necessary to enforce said laws; $9,586,600, all to be expended under the direction of the Secretary

Salaries and expenses.

Deportation, etc., of aliens.

Vehicles.

Witness fees, etc.

Commissioner, and other services in the District.

of Labor, of which amount not to exceed $555,000 may be expended for the salary of the Commissioner of Immigration and Naturalization and other personal services in the District of Columbia, including services of persons authorized by law to be detailed there for duty: *Provided*, That not to exceed $45,000 of the sum herein appropriated shall be available for the purchase, including exchange, of motor-propelled passenger-carrying vehicles: *Provided further*, That the Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, may contract with officers and employees stationed outside of the District of Columbia, whose salaries are payable from this appropriation, for the use, on official business outside of the District of Columbia, of privately owned horses, and the consideration agreed upon shall be payable from the funds herein appropriated: *Provided further*, That not to exceed $36,000 of the total amount herein appropriated shall be available for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), not to exceed $1,700 for any person: *Provided further*, That $125,000 of the amount herein appropriated shall be available only for the payment of extra compensation for overtime services of inspectors and employees of the Immigration and Naturalization Service for which the United States receives reimbursement in accordance with the provisions of the Act of March 2, 1931 (U. S. C., title 8, secs. 109a and 109b): *Provided further*, That no part of this appropriation shall be available for the compensation of assistants to clerks of United States courts: *Provided further*, That not to exceed $10,000 of the sum herein appropriated may be expended for payment of rewards, when specifically authorized by the Secretary of Labor, for information leading to the detection, arrest, or conviction of persons violating the immigration or naturalization laws: *Provided further*, That notwithstanding the provisions of the Act of February 5, 1917 (U. S. C., title 8, sec. 109), authorizing the Secretary of Labor to draw annually from the appropriations for the enforcement of the laws regulating the immigration of aliens into the United States, $200,000 or so much thereof as may be necessary to enforce the law excluding contract laborers and induced and assisted immigrants, not to exceed $95,000 of the sum herein appropriated may be expended for such purposes, and such expenditure shall be made in strict compliance with the provisions of the Act of July 11, 1919 (U. S. C., title 18, sec. 201).

Provisos.
Vehicles.

Privately-owned horses.

Allowance for living quarters.

46 Stat. 818.
5 U. S. C. § 118a.

Overtime services of inspectors, etc.

46 Stat. 1467.
8 U. S. C. §§ 109a, 109b.

Pay of assistants to clerks of courts forbidden.

Payment of rewards.

Contract laborers.

39 Stat. 893.
8 U. S. C. § 109.

41 Stat. 68.
18 U. S. C. § 201.

Immigration stations: For remodeling, repairing (including repairs to the ferryboat Ellis Island), renovating buildings, and purchase of equipment, $100,000.

Immigration stations.

The appropriation under title IV for traveling expenses shall be available in an amount not to exceed $400 for expenses of attendance at meetings concerned with the work of the Bureau of Immigration and Naturalization when incurred on the written authority of the Secretary of Labor.

Attendance at meetings.

CHILDREN'S BUREAU

Children's Bureau.

Salaries and expenses: For expenses of investigating and reporting upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality; personal services, including experts and temporary assistants; purchase of reports and material for the publications of the Children's Bureau and for reprints from State, city, and private publications for distribution when said reprints can be procured more cheaply than they can be printed by the Government, and other necessary expenses, $363,500, of which amount not to exceed $313,500 may be expended for personal services in the District of Columbia.

Salaries and expenses.
Investigations, etc.

MATERNAL AND CHILD WELFARE

Maternal and child welfare.

Salaries and expenses: For all authorized and necessary administrative expenses of the Children's Bureau in performing the duties imposed upon it by title V of the Social Security Act, approved August 14, 1935, including personal services, rentals, repairs, and alterations to buildings, in the District of Columbia and elsewhere; printing and binding; supplies; services; equipment; newspapers, books of reference, periodicals, and press clippings, $306,000.

Salaries and expenses.

49 Stat. 629.
42 U. S. C., Supp. II, § 701

In the administration of title V of the Social Security Act for the fiscal year 1938, payments to States for any quarter of the fiscal year 1938 under parts 1 and 2 may be made with respect to any State plan approved under such respective parts by the Chief of the Children's Bureau prior to or during such quarter, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Chief of the Children's Bureau for approval.

Social Security Act. Payments under State plans.

GRANTS TO STATES FOR MATERNAL AND CHILD HEALTH SERVICES

Grants to States for maternal and child health services, Children's Bureau: For grants to States for the purpose of enabling each State to extend and improve services for promoting the health of mothers and children, as authorized in title V, part 1, of the Social Security Act, approved August 14, 1935 (49 Stat. 629–631), $3,700,000, to be available immediately: *Provided*, That in carrying out such part 1, the allotments to States and expenditures thereunder for the fiscal year 1938 are authorized to be made on the basis of a total of $3,800,000 for all States (as defined in such Act): *Provided further*, That any allotment to a State pursuant to section 502 (b) shall not be included in computing for the purposes of subsections (a) and (b) of section 504 an amount expended or estimated to be expended by the State.

Grants to States for maternal and child health services
49 Stat. 629

Provisos.
Basis of allotments, 1938.

Supplemental aid not included.
49 Stat. 630.

GRANTS TO STATES FOR SERVICES FOR CRIPPLED CHILDREN

Grants to States for services for crippled children, Children's Bureau: For the purpose of enabling each State to extend and improve services for crippled children, as authorized in title V, part 2, of the Social Security Act, approved August 14, 1935 (49 Stat. 631–633), $2,800,000, to be available immediately: *Provided*, That in carrying out such part 2, the allotments to States (as defined in such Act) and expenditures thereunder for the fiscal year 1938 are authorized to be made on the basis of a total of $2,850,000 for all States.

Services for crippled children, grants to States.

49 Stat. 631.

Proviso
Basis of allotments, 1938.

GRANTS TO STATES FOR CHILD-WELFARE SERVICES

Grants to States for child-welfare services, Children's Bureau: For grants to States for the purpose of enabling the United States, through the Children's Bureau, to cooperate with State public-welfare agencies in establishing, extending, and strengthening public-welfare services for the care of homeless or neglected children, or children in danger of becoming delinquent, as authorized in title V, part 3, of the Social Security Act, approved August 14, 1935 (49 Stat. 633), $1,475,000, to be available immediately: *Provided*, That in carrying out such part 3, the allotments to States (as defined in such Act) and expenditures thereunder for the fiscal year 1938 are authorized to be made on the basis of a total of $1,500,000 for all States.

Child welfare services, grants to States.
49 Stat. 633

Proviso.
Basis of allotments, 1938.

The appropriation under title IV for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the administration of title

Attendance at conferences.
49 Stat. 627.

49 Stat. 629.

V, parts 1, 2, and 3, of the Social Security Act when called by the Children's Bureau with the written approval of the Secretary of Labor, and shall be available also, in an amount not to exceed $5,000 for expenses of attendance at meetings related to the work of the Children's Bureau when incurred on the written authority of the Secretary of Labor.

Women's Bureau

WOMEN'S BUREAU

Salaries and expenses
41 Stat. 987
29 U. S. C. §§ 11-16.

Salaries and expenses: For carrying out the provisions of the Act entitled "An Act to establish in the Department of Labor a bureau to be known as the Women's Bureau", approved June 5, 1920 (U. S. C., title 29, secs. 11–16), including personal services in the District of Columbia, not to exceed $134,500; purchase of material for reports and educational exhibits, $136,500.

Attendance at meetings.

The appropriation under title IV for traveling expenses shall be available in an amount not to exceed $2,500 for expenses of attendance at meetings concerned with the work of the Women's Bureau when incurred on the written authority of the Secretary of Labor.

Employment Service.

UNITED STATES EMPLOYMENT SERVICE

Administrative expenses.

For all administrative expenses, including the Veterans' Placement Service, the Farm Placement Service, and the District of Columbia Public Employment Center, in carrying out the provisions of the Act entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933 (U. S. C., title 29, secs. 49–491); personal services and rent in the District of Columbia and elsewhere; law books, books of reference, newspapers and periodicals, printing and binding, supplies and equipment, telegraph and telephone service, and miscellaneous expenses, $777,000, including not to exceed $210,000 for personal services in the Department in the District of Columbia.

48 Stat. 113
29 U. S. C. §§ 49–491.

Payment to States.

For payment to the several States in accordance with the provisions of the said Act of June 6, 1933 (U. S. C., title 29, secs. 49–491), as amended, $1,500,000: *Provided*, That apportionments for the fiscal year 1938 shall be on the basis of a total apportionment to all States of $3,000,000: *Provided further*, That amounts herein and hereafter appropriated, together with the unexpended balances of amounts heretofore appropriated, for payment to the several States in accordance with said Act of June 6, 1933, as amended, shall constitute one fund to remain available until expended, and the unused balances of amounts apportioned to the several States for the fiscal year 1936 for establishing and maintaining public employment offices shall be reapportioned among all the States, in accordance with said Act of June 6, 1933, as amended, without regard to the sufficiency therefor of said fund.

Provisos.
Basis of apportionments, 1938
Accounting.

Use of unused balances.

Attendance at meetings.

The appropriation under title IV for traveling expenses shall be available in an amount not to exceed $4,000 for expenses of attendance at meetings concerned with the work of the United States Employment Service when incurred on the written authority of the Secretary of Labor.

Short title.

This title may be cited as the "Department of Labor Appropriation Act, 1938".

Payment forbidden persons after nomination rejected by Senate.

SEC. 2. No part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

Approved, June 16, 1937.

[CHAPTER 361]

AN ACT

To further extend the period of time during which final proof may be offered by homestead and desert-land entrymen.

June 16, 1937
[S. 329]
[Public, No. 154]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act to extend the period of time during which final proof may be offered by homestead entrymen", approved May 13, 1932, as amended, is amended by striking out "December 31, 1935" and inserting in lieu thereof "December 31, 1936".

Homestead, etc., entrymen.
Time extended for offering final proof
47 Stat. 153; 49 Stat. 504.

Approved, June 16, 1937.

[CHAPTER 362]

AN ACT

To expedite the dispatch of vessels from certain ports of call.

June 16, 1937
[H. R. 6438]
[Public, No. 155]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to expedite the dispatch of vessels carrying passengers operating on regular schedules and arriving at night or on a Sunday or a holiday at a port in the United States at which such vessel is required by law to report arrival and make entry and from which it is required to obtain a clearance, the collector of customs, or any deputy collector of customs designated by him, if the vessel departs during the same night, Sunday, or holiday on which it arrives may, under such regulations as may be prescribed jointly by the Secretary of Commerce and the Secretary of the Treasury, receive the report of arrival and entry of such vessel from and give clearance for such vessel to the master or other proper officer thereof on board such vessel: *Provided*, That bond, as prescribed in section 451 of the Tariff Act of 1930, is given to secure reimbursement to the Government for the compensation of, and expenses incurred by, such customs officers in performing such services, who shall be entitled to rates of compensation fixed on the same basis and payable in the same manner and upon the same terms and conditions as in the case of customs officers and employees assigned to lading or unlading at night or on Sunday or a holiday.

Customs.
Dispatch of vessels from certain ports of call at night, on Sundays, etc.

Clearance.

Proviso.
Bond required.
46 Stat. 715.
19 U. S. C. § 1451.

Approved, June 16, 1937.

[CHAPTER 364]

JOINT RESOLUTION

Authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Olmedo Alfaro, a citizen of Ecuador.

June 18, 1937
[H. J. Res. 335]
[Pub. Res., No. 44]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to permit Olmedo Alfaro, a citizen of Ecuador, to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and the said Olmedo Alfaro shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction, and that he shall not be admitted to the academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States, and that he shall be immediately withdrawn if deficient in studies or in conduct and so recommended by the academic board: *Provided further*, That in the case of said Olmedo Alfaro the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

Olmedo Alfaro, a citizen of Ecuador.
Admission to U. S. Military Academy.

Provisos.
No expense.
Conditions.

Waiver of oath, etc., requirement.
R. S. §§ 1320, 1321.
10 U. S. C. §§ 1099, 1101.

Approved, June 18, 1937.

[CHAPTER 367]

AN ACT

To provide for the manner of inflicting the punishment of death.

June 19, 1937
[H. R. 2705]
[Public, No. 156]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 323 of the Criminal Code of the United States (U. S. C., title 18, sec. 542) be, and the same is hereby, amended to read as follows:

Criminal Code, amendment.
18 U. S. C. § 542

"SEC. 323. The manner of inflicting the punishment of death shall be the manner prescribed by the laws of the State within which the sentence is imposed. The United States marshal charged with the execution of the sentence may use available State or local facilities and the services of an appropriate State or local official or employ some other person for such purpose, and pay the cost thereof in an amount approved by the Attorney General. If the laws of the State within which sentence is imposed make no provision for the infliction of the penalty of death, then the court shall designate some other State in which such sentence shall be executed in the manner prescribed by the laws thereof."

Death penalty; State law to govern manner of infliction
Use of local facilities, etc.

Where State has no provision for infliction of death penalty.

Approved, June 19, 1937.

[CHAPTER 368]

AN ACT

To amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended; authorizing the Secretary of War to extend the services and operations of the Inland Waterways Corporation to the Savannah River.

June 19, 1937
[H. R. 4213]
[Public, No. 157]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to create the Inland Waterways Corporation for the purpose of carrying out the mandate and purpose of Congress as expressed in sections 201 and 500 of the Transportation Act, and for other purposes", approved June 3, 1924, as amended, be further amended by adding at the end thereof the following new section:

Inland Waterways Corporation.
43 Stat. 363.
49 U. S. C. §§ 151-156.

"SEC. 7. The Secretary of War is authorized to extend the services and operations of the Inland Waterways Corporation to the Savannah River, under the same terms and conditions as are prescribed for the extension of such services and operations to any tributary or connecting waterway of the Mississippi River in section 3 (b) of this Act, as amended by section 2 of the Act approved May 29, 1928 (45 Stat. 979)."

Services and operations extended to the Savannah River.

45 Stat. 979.

Approved, June 19, 1937.

[CHAPTER 369]

AN ACT

To amend the Federal Register Act.

June 19, 1937
[H. R 5721]
[Public, No. 158]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Federal Register Act, approved July 26, 1935 (49 Stat. 500), is hereby amended to read as follows:

Federal Register Act, amendment.
49 Stat. 503
44 U. S. C., Supp. II, §§ 301-314.

"SEC. 11. (a) On July 1, 1938, and on the same date of every fifth year thereafter, each agency of the Government shall have prepared and shall file with the Administrative Committee a complete codification of all documents which, in the opinion of the agency, have general applicability and legal effect and which have been issued or promulgated by such agency and are in force and effect and relied upon by the agency as authority for, or invoked or used by it in the

Codification of documents to be filed by Federal agencies with Administrative Committee.

discharge of, any of its functions or activities on June 1, 1938. The Committee shall, within ninety days thereafter, report thereon to the President, who may authorize and direct the publication of such codification in special or supplemental editions of the Federal Register.

Report of Committee; publication of codification.

"(b) There is hereby established a Codification Board, which shall consist of six members: The Director of the Division of the Federal Register, chairman ex officio; three attorneys of the Department of Justice, designated by the Attorney General; and two attorneys of the Division of the Federal Register, designated by the Archivist. The Board shall supervise and coordinate the form, style, arrangement, and indexing of the codifications of the various agencies.

Codification Board; establishment, composition, etc.

"(c) The codified documents of the several agencies published in the supplemental edition of the Federal Register pursuant to the provisions of subsection (a) hereof, as amended by documents subsequently filed with the Division, and published in the daily issues of the Federal Register, shall be prima-facie evidence of the text of such documents and of the fact that they are in full force and effect on and after the date of publication thereof.

Codification to be prima-facie evidence of text, etc.

"(d) The Administrative Committee shall prescribe, with the approval of the President, regulations for carrying out the provisions of this section."

Administrative regulations.

Approved, June 19, 1937.

[CHAPTER 376]

AN ACT

To amend the provisions of the pension laws for peace-time service to include Reserve officers and members of the Enlisted Reserves.

June 23, 1937
[H. R. 2887]
[Public, No. 159]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Veterans' Regulation 1 (a), part II, paragraph 1 (a), be amended to read as follows:

Reserve officers and members of Enlisted Reserves.

"1. (a) For disability resulting from personal injury or disease contracted in line of duty or for aggravation of a preexisting injury or disease contracted or suffered in line of duty when such disability was incurred in or aggravated by active military or naval service other than in a period of war service as provided in part I, the United States will pay to any person thus disabled and who was honorably discharged from such period of service in which said injury or disease was incurred, or preexisting injury or disease was aggravated, a pension as hereinafter provided, but no pension shall be paid if the disability is the result of the person's own misconduct: *Provided*, That active service, including service for training purposes, performed by a Reserve officer or member of the Enlisted Reserves of the United States Army, Navy, or Marine Corps, shall be considered as active military or naval service for the purpose of granting benefits under part II hereof, and it shall not be required that such Reserve officer or enlisted man shall have been discharged from the service. Pension under this paragraph shall not be paid concurrently with active duty pay or employees' compensation. Where a person who is eligible for pension hereunder is also eligible for the benefits of Employees' Compensation Act, he shall elect which benefit he shall receive. This amendment shall be effective June 15, 1933, but payment of pension hereunder shall be effective from the date of receipt in the Veterans' Administration of application therefor or the date of enactment of this amendment, whichever is the later."

Provisions of pension laws for peace-time service extended to

Proviso.
Reserves in active service, including training, given a pensionable status.

Pension not paid concurrently with active duty pay, etc.

Choice where also eligible to disability compensation.

Effective date.

Approved, June 23, 1937.

[CHAPTER 377]

AN ACT

June 24, 1937
[S. 102]
[Public, No. 160]

To authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Antietam.

Battle of Antietam. Coinage of 50-cent pieces commemorating 75th anniversary of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the seventy-fifth anniversary of the Battle of Antietam there shall be coined at one mint only of the United States to be designated by the Director of the Mint not to exceed fifty thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

No Federal expense for dies, etc.

Date, issue, number, etc.

SEC. 2. The coins herein authorized shall bear the date 1937, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Washington County Historical Society of Hagerstown, Maryland, upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such Washington County Historical Society of Hagerstown, Maryland, subject to the approval of the Director of the Mint, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Disposition.

Coinage laws applicable.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Approved, June 24, 1937.

[CHAPTER 381]

AN ACT

June 24, 1937
[S. 187]
[Public, No. 161]

Providing for the suspension of annual assessment work on mining claims held by location in the United States.

Public lands. Mining claims assessment work suspended, fiscal year 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States during the year beginning at 12 o'clock meridian July 1, 1936, and ending at 12 o'clock meridian July 1, 1937: *Provided*, That the provisions of this Act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1936: *Provided further*, That every claimant of any such mining claim, in order to obtain the benefits of this Act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian July 1, 1937, a notice of his desire to hold said

Provisos. Claimant not exempt from Federal income tax, excluded. Notice to be filed.

mining claim under this Act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1936: *Provided further*, That such suspension of assessment work shall not apply to more than six lode-mining claims held by the same person, nor to more than twelve lode-mining claims held by the same partnership, association, or corporation: *And provided further*, That such suspension of assessment work shall not apply to more than six placer-mining claims not to exceed one hundred and twenty acres (in all) held by the same person, nor to more than twelve placer-mining claims not to exceed two hundred and forty acres (in all) held by the same partnership, association, or corporation.

Number of lode-mining claims limited.

Placer-mining claims.

Approved, June 24, 1937.

[CHAPTER 382]

AN ACT

To amend an Act entitled "An Act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes", approved August 29, 1935.

June 24, 1937
[H. R. 7519]
[Public, No. 162]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PART I

That the Act of August 29, 1935, entitled "An Act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes", be, and it is hereby, amended to read as follows:

Railroad Retirement Act of 1937.
49 Stat. 967.
45 U. S. C., Supp. II, §§ 215–228.

"DEFINITIONS

Definitions.

"SECTION 1. For the purposes of this Act—

"(a) The term 'employer' means any carrier (as defined in subsection (m) of this section), and any company which is directly or indirectly owned or controlled by one or more such carriers or under common control therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service, and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the property or operating all or any part of the business of any such employer: *Provided, however*, That the term 'employer' shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The Interstate Commerce Commission is hereby authorized and directed upon request of the Board, or upon complaint of any party interested, to determine after hearing whether any line operated by electric power falls within the terms of this proviso. The term 'employer' shall also include railroad associations, traffic associations, tariff bureaus, demurrage bureaus, weighing and inspection bureaus, collection agencies and other associations, bureaus, agencies, or organizations controlled and maintained wholly or principally by two or more employers as hereinbefore defined and engaged in the performance of services in connection with or incidental to railroad transpor-

"Employer."

Proviso.
Street, interurban, or suburban electric railways.

tation; and railway labor organizations, national in scope, which have been or may be organized in accordance with the provisions of the Railway Labor Act, as amended, and their State and National legislative committees and their general committees and their insurance departments and their local lodges and divisions, established pursuant to the constitution and bylaws of such organizations.

"Employee."

"(b) The term 'employee' means (1) any individual in the service of one or more employers for compensation, (2) any individual who is in the employment relation to one or more employers, and (3) an employee representative. The term 'employee' shall include an employee of a local lodge or division defined as an employer in subsection (a) only if he was in the service of or in the employment relation to a carrier on or after the enactment date. The term 'employee representative' means any officer or official representative of a railway labor organization other than a labor organization included in the term 'employer' as defined in section 1 (a) who before or after the enactment date was in the service of an employer as defined in section 1 (a) and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, as amended, and any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his office.

Service defined.

"(c) An individual is in the service of an employer whether his service is rendered within or without the United States if he is subject to the continuing authority of the employer to supervise and direct the manner of rendition of his service, which service he renders for compensation: *Provided*, *however*, That an individual shall be deemed to be in the service of an employer not conducting the principal part of its business in the United States only when he is rendering service to it in the United States.

Proviso
Place of employment.

Person in employment relation.

"(d) An individual is in the employment relation to an employer if he is on furlough, subject to call for service within or outside the United States and ready and willing to serve, or on leave of absence, or absent on account of sickness or disability; all in accordance with the established rules and practices in effect on the employer: *Provided*, *however*, That an individual shall not be deemed to have been on the enactment date in the employment relation to an employer not conducting the principal part of its business in the United States unless during the last pay-roll period in which he rendered service to it prior to the enactment date, he rendered service to it in the United States.

Proviso.
Status of person employed within, for a business without United States.

"United States" defined.

"(e) The term 'United States', when used in a geographical sense, means the States, Alaska, Hawaii, and the District of Columbia.

"Years of service."

"(f) The term 'years of service' shall mean the number of years an individual as an employee shall have rendered service to one or more employers for compensation or received remuneration for time lost, and shall be computed in accordance with the provisions of section 3 (b): *Provided*, *however*, That where service prior to the enactment date may be included in the computation of years of service as provided in subdivision (1) of section 3 (b), it may be included as to service rendered to a person which was on the enactment date an employer, irrespective of whether, at the time such service was rendered, such person was an employer; and it may also be included as to service rendered to any express company, sleeping-car company, or carrier by railroad which was a predecessor of a company which, on the enactment date, was a carrier as defined in subsection (m), irrespective of whether, at the time such service was rendered to such predecessor, it was an employer. Twelve calendar months, consecutive or otherwise, in each of which an employee has rendered such

Proviso.
Service included.

service or received such wages for time lost, shall constitute a year of service. An ultimate fraction of six months or more shall be taken as one year. An ultimate fraction of less than six months shall be taken at its actual value.

"(g) The term 'annuity' means a monthly sum which is payable on the 1st day of each calendar month for the accrual during the preceding calendar month. "Annuity."

"(h) The term 'compensation' means any form of money remuneration earned by an individual for services rendered as an employee to one or more employers, or as an employee representative, including remuneration paid for time lost as an employee, but remuneration paid for time lost shall be deemed earned in the month in which such time is lost. Such term does not include tips, or the voluntary payment by an employer, without deduction from the remuneration of the employee, of any tax now or hereafter imposed with respect to the compensation of such employee. "Compensation." Tips, etc.

"(i) The term 'Board' means the Railroad Retirement Board. "Board."

"(j) The term 'enactment date' means the 29th day of August 1935. "Enactment date."

"(k) The term 'company' includes corporations, associations, and joint-stock companies. "Company."

"(l) The term 'employee' includes an officer of an employer. "Employee."

"(m) The term 'carrier' means an express company, sleeping-car company, or carrier by railroad, subject to part I of the Interstate Commerce Act. "Carrier."

"(n) The term 'person' means an individual, a partnership, an association, a joint-stock company, or a corporation. "Person."

"ANNUITIES Annuities.

"SEC. 2. (a) The following-described individuals, if they shall have been employees on or after the enactment date, shall, subject to the conditions set forth in subsections (b), (c), and (d), be eligible for annuities after they shall have ceased to render compensated service to any person, whether or not an employer as defined in section 1 (a) (but with the right to engage in other employment to the extent not prohibited by subsection (d)): Classes eligible.

"1. Individuals who on or after the enactment date shall be sixty-five years of age or over. Attaining 65 years.

"2. Individuals who on or after the enactment date shall be sixty years of age or over and (a) either have completed thirty years of service or (b) have become totally and permanently disabled for regular employment for hire, but the annuity of such individuals shall be reduced one one-hundred-and-eightieth for each calendar month that they are under age sixty-five when the annuity begins to accrue. Attaining 60 years and completing 30 years of service; total disability, etc. Reduction, under 65 years.

"3. Individuals, without regard to age, who on or after the enactment date are totally and permanently disabled for regular employment for hire and shall have completed thirty years of service. Total disability, after 30 years' service regardless of age.

"Such satisfactory proof of the permanent total disability and of the continuance of such disability until age sixty-five shall be made from time to time as may be prescribed by the Board. If the individual fails to comply with the requirements prescribed by the Board as to proof of the disability or the continuance of the disability until age sixty-five, his right to an annuity under subdivision 2 or subdivision 3 of this subsection by reason of such disability shall, except for good cause shown to the Board, cease, but without prejudice to his rights under subdivision 1 or 2 (a) of this subsection. If, prior to attaining age sixty-five, such an individual recovers and is no longer disabled for regular employment for hire, his annuity shall cease upon the last day of the month in which Periodic examinations. Discontinuance of annuity if employee fails to comply. Annuity discontinued on recovery; reduction, if paid thereafter.

he so recovers and if after such recovery the individual is granted an annuity under subdivision 1 or 2 (a) of this subsection, the amount of such annuity shall be reduced on an actuarial basis to be determined by the Board so as to compensate for the annuity previously received under this subdivision.

Payment conditional upon reemployment.

"(b) An annuity shall be paid only if the applicant shall have relinquished such rights as he may have to return to the service of an employer and of the person by whom he was last employed; but this requirement shall not apply to the individuals mentioned in subdivision 2 (b) and subdivision 3 of subsection (a) prior to attaining age sixty-five.

Accrual of annuity.

"(c) An annuity shall begin to accrue as of a date to be specified in a written application (to be made in such manner and form as may be prescribed by the Board and to be signed by the individual entitled thereto), but—

"(1) not before the date following the last day of compensated service of the applicant, and

"(2) not more than sixty days before the filing of the application.

Payment in any month in which compensated service rendered

"(d) No annuity shall be paid with respect to any month in which an individual in receipt of an annuity hereunder shall render compensated service to an employer or to the last person by whom he was employed prior to the date on which the annuity began to accrue.

Report thereof.

Individuals receiving annuities shall report to the Board immediately all such compensated service.

"COMPUTATION OF ANNUITIES

Computation of annuities.

"SEC. 3. (a) The annuity shall be computed by multiplying an individual's 'years of service' by the following percentages of his 'monthly compensation': 2 per centum of the first $50; 1½ per centum of the next $100; and 1 per centum of the next $150.

Determination of "years of service".

"(b) The 'years of service' of an individual shall be determined as follows:

"(1) In the case of an individual who was an employee on the enactment date, the years of service shall include all his service subsequent to December 31, 1936, and if the total number of such years is less than thirty, then the years of service shall also include his service prior to January 1, 1937, but not so as to make his total years of service exceed thirty: *Provided, however*, That with respect to any such individual who rendered service to any employer after January 1, 1937, and who on the enactment date was not an employee of an employer conducting the principal part of its business in the United States no greater proportion of his service rendered prior to January 1, 1937, shall be included in his 'years of service' than the proportion which his total compensation (including compensation in any month in excess of $300) for service after January 1, 1937, rendered anywhere to an employer conducting the principal part of its business in the United States or rendered in the United States to any other employer bears to his total compensation (including compensation in any month in excess of $300) for service rendered anywhere to an employer after January 1, 1937.

Proviso. Where principal part of business was outside United States.

Where principal part of business was within.

"(2) In all other cases, the years of service shall include only the service subsequent to December 31, 1936.

"(3) Where the years of service include only part of the service prior to January 1, 1937, the part included shall be taken in reverse order beginning with the last calendar month of such service.

"(4) In no case shall the years of service include any service rendered after June 30, 1937, by an individual who is sixty-five years of age or over, except for the purpose of computing his monthly compensation as provided in subsection (c) of this section.

"Monthly compensation," computation of

"(c) The 'monthly compensation' shall be the average compensation earned by an employee in calendar months included in his 'years of service', except (1) that with respect to service prior to January 1, 1937, the monthly compensation shall be the average compensation earned by an employee in calendar months included in his years of service in the years 1924–1931, and (2) that where service in the period 1924–1931 is, in the judgment of the Board, insufficient to constitute a fair and equitable basis for determining the monthly compensation for service prior to January 1, 1937, the Board shall determine the monthly compensation for such service in such manner as in its judgment shall be just and equitable. If the employee earned compensation after June 30, 1937, and after the last day of the month in which he attained age sixty-five, such compensation shall be disregarded if the result of taking such compensation into account would be to diminish his annuity. In computing the monthly compensation, no part of any month's compensation in excess of $300 shall be recognized.

Annuity to employee representative.

"(d) The annuity of an individual who shall have been an employee representative shall be determined in the same manner and with the same effect as if the employee organization by which he shall have been employed were an employer.

Employee attaining 65 and with 20 years of service.

"(e) If the individual was an employee when he attained age sixty-five and has completed twenty years of service, the minimum annuity payable to him shall be $40 per month: *Provided, however,* That if the monthly compensation on which his annuity is based is less than $50, his annuity shall be 80 per centum of such monthly compensation, except that if such 80 per centum is less than $20, the annuity shall be $20 or the same amount as the monthly compensation, whichever is less. In no case shall the value of the annuity be less than the value of the additional old-age benefit he would receive under title II of the Social Security Act if his service as an employee after December 31, 1936, were included in the term 'employment' as defined therein.

Proviso.
Basis, if compensation less than $50.

Minimum annuity.

49 Stat. 622.

Payments upon death.

"(f) Annuity payments due an individual but not yet paid at death shall be paid to a surviving spouse if such spouse is entitled to an annuity under an election made pursuant to the provisions of section 4; otherwise they shall be paid to the same individual or individuals who may be entitled to receive any death benefit that may be payable under the provisions of section 5.

"(g) No annuity shall accrue with respect to the calendar month in which an annuitant dies.

Recomputation on account of service rendered.

"(h) After an annuity has begun to accrue, it shall not be subject to recomputation on account of service rendered thereafter to an employer, except as provided in subdivision 3 of section 2 (a).

If annuity less than $2.50.

"(i) If an annuity is less than $2.50, it may, in the discretion of the Board, be paid quarterly or in a lump sum equal to its commuted value as determined by the Board.

"JOINT AND SURVIVOR ANNUITY

Joint and survivor annuity.

"SEC. 4. An individual whose annuity shall not have begun to accrue may elect prior to January 1, 1938, or at least five years before the date on which his annuity begins to accrue, or upon furnishing proof of health satisfactory to the Board, to have the value of his annuity apply to the payment of a reduced annuity to him during life and

an annuity after his death to his spouse during life equal to, or 75 per centum of, or 50 per centum of such reduced annuity. The amounts of the two annuities shall be such that their combined actuarial value as determined by the Board shall be the same as the actuarial value of the single-life annuity to which the individual would otherwise be entitled. Such election shall be irrevocable, except that it shall become inoperative if the individual or the spouse dies before the annuity begins to accrue or if the individual's marriage is dissolved or if the individual shall be granted an annuity under subdivision 3 of section 2 (a): *Provided, however*, That the individual may, if his marriage is dissolved before the date his annuity begins to accrue, or if his annuity under subdivision 3 of section 2 (a) ceases because of failure to make the required proof of disability, make a new election under the conditions stated in the first sentence of this subsection. The annuity of a spouse under this subsection shall begin to accrue on the first day of the calendar month in which the death of the individual occurs.

Proviso. Marital, etc., provisions.

"DEATH BENEFITS

Death benefits.

"SEC. 5. The following benefits shall be paid with respect to the death of individuals who were employees after December 31, 1936:

"(a) If the deceased should not be survived by a widow or widower who is entitled to an annuity under an election made pursuant to the provisions of section 4, there shall be paid to such person or persons as the deceased may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the legal representative of the deceased, the amount, if any, by which 4 per centum of the aggregate compensation earned by the deceased after December 31, 1936, exceeds the sum of the total of the annuity payments actually made to the deceased plus the total of the annuity payments due the deceased but not yet paid at death. If the person or persons designated to receive the death benefit do not survive the deceased, the death benefit shall be paid to the legal representative of the deceased.

"(b) If the deceased should be survived by a widow or widower entitled to an annuity under an election made pursuant to the provisions of section 4, there shall, on the death of the widow or widower, be paid to such person or persons as the deceased may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the legal representative of the deceased, the amount, if any, by which 4 per centum of the aggregate compensation earned by the deceased after December 31, 1936, exceeds the sum of the total of the annuity payments actually made to the deceased plus the total of the annuity payments actually made to the widow or widower under an election made pursuant to the provisions of section 4 and under the provisions of section 3 (f), plus the total of the annuity payments due the widow or widower but not yet paid at death. If the person or persons designated to receive the death benefit do not survive the widow or widower, the death benefit shall be paid to the legal representative of the deceased.

"In computing the aggregate compensation for the purpose of this section, no part of any month's earnings in excess of $300 shall be recognized.

Pension or gratuity rolls of employers.

"PENSIONS TO INDIVIDUALS ON PENSION OR GRATUITY ROLLS OF EMPLOYERS

Pensions to individuals on.

"SEC. 6. (a) Beginning July 1, 1937, each individual then on the pension or gratuity roll of an employer by reason of his employment, who was on such roll on March 1, 1937, shall be paid on July 1, 1937,

and on the 1st day of each calendar month thereafter during his life, a pension at the same rate as the pension or gratuity granted to him by the employer without diminution by reason of a general reduction or readjustment made subsequent to December 31, 1930, and applicable to pensioners of the employer: *Provided, however*, That no pension payable under this section shall exceed $120 monthly: *And provided further*, That no individual on the pension or gratuity roll of an employer not conducting the principal part of its business in the United States shall be paid a pension under this section unless, in the judgment of the Board, he was, on March 1, 1937, carried on the pension or gratuity roll as a United States pensioner.

Provisos. Limitation. Where principal part of business is without United States

"(b) No individual covered by this section who was on July 1, 1937, eligible for an annuity under this Act or the Railroad Retirement Act of 1935, based in whole or in part on service rendered prior to January 1, 1937, shall receive a pension payment under this section subsequent to the payment due on October 1, 1937, or due on the 1st day of the month in which the application for an annuity of such individual has been awarded and certified by the Board, whichever of the two dates is earlier. The annuity claims of such individuals who receive pension payments under this section shall be adjudicated in the same manner and with the same effect as if no pension payments had been made: *Provided, however*, That no such individual shall be entitled to receive both a pension under this section and an annuity under this Act or the Railroad Retirement Act of 1935, and in the event pension payments have been made to any such individual in any month in which such individual is entitled to an annuity under this Act or the Railroad Retirement Act of 1935, the difference between the amounts paid as pensions and the amounts due as annuities shall be adjusted in accordance with such rules and regulations as the Board may deem just and reasonable.

Persons eligible for annuities not to be carried as pensioners.

Adjudication.

Proviso. Double payments forbidden.

Adjustment of differences.

"(c) The pension paid under this section shall not be considered to be in substitution for that part of the pension or gratuity from the employer which is in excess of a pension or gratuity at the rate of $120 a month.

"SEC. 7. Nothing in this Act or the Railroad Retirement Act of 1935 shall be taken as restricting or discouraging payment by employers to retired employees of pensions or gratuities in addition to the annuities or pensions paid to such employees under such Acts, nor shall such Acts be taken as terminating any trust heretofore created for the payment of such pensions or gratuities.

Additional payments by employers.

"CONCLUSIVENESS OF RETURNS OF COMPENSATION AND OF FAILURE TO MAKE RETURNS OF COMPENSATION

"SEC. 8. Employers shall file with the Board, in such manner and form and at such times as the Board by rules and regulations may prescribe, returns under oath of monthly compensation of employees, and, if the Board shall so require, shall furnish employees with statements of their monthly compensation as reported to the Board. Any such return shall be conclusive as to the amount of compensation earned by an employee during each month covered by the return, and the fact that no return was made of the compensation claimed to be earned by an employee during a particular calendar month shall be taken as conclusive that no compensation was earned by such employee during that month, unless the error in the amount of compensation returned in the one case, or the failure to make return of the compensation in the other case, is called to the attention of the Board within four years after the last date on which return of the compensation was required to be made.

Conclusiveness of returns of compensation and of failure to make returns, etc.

"ERRONEOUS PAYMENTS

Erroneous payments

"SEC. 9. (a) If the Board finds that at any time more or less than the correct amount of any annuity or pension has theretofore been paid to any individual under this Act or the Railroad Retirement Act of 1935, then, under regulations made by the Board, proper adjustments shall be made in connection with subsequent payments under such Acts to the same individual.

"(b) There shall be no recovery of payments of annuities, death benefits, or pensions from any person who, in the judgment of the Board, is without fault and if, in the judgment of the Board, such recovery would be against equity and good conscience. No disbursing officer shall be held liable for any amount paid by him to any person where the recovery of such amount is waived under this section.

Retirement Board.

"RETIREMENT BOARD

Personnel.

"Personnel

Establishment as an independent agency.

Composition, terms of office, vacancies, etc.

"SEC. 10. (a) There is hereby established as an independent agency in the executive branch of the Government a Railroad Retirement Board, to be composed of three members appointed by the President, by and with the advice and consent of the Senate. Each member shall hold office for a term of five years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of the term and the terms of office of the members first taking office after the enactment date shall expire, as designated by the President, one at the end of two years, one at the end of three years, and one at the end of four years after the enactment date.

Representation of employees and carriers on Board.

One member shall be appointed from recommendations made by representatives of the employees and one member shall be appointed from recommendations made by representatives of carriers, in both cases as the President shall direct, so as to provide representation on the Board satisfactory to the largest number, respectively, of employees and carriers concerned.

Chairman, term of office; qualifications.

One member, who shall be the chairman of the Board, shall be appointed initially for a term of two years without recommendation by either carriers or employees and shall not be in the employment of or be pecuniarily or otherwise interested in any employer or organization of employees.

Board vacancies.

Vacancies in the Board shall not impair the powers or affect the duties of the Board or of the remaining members of the Board, of whom a majority of those in office shall constitute a quorum, for the transaction of business.

Salary, expenses, etc.

Each of said members shall receive a salary of $10,000 per year, together with necessary traveling expenses and subsistence expenses, or per diem allowance in lieu thereof, while away from the principal office of the Board on official duties.

"Duties

Duties and powers of Board.

"(b) 1. The Board shall have and exercise all the duties and powers necessary to administer this Act and the Railroad Retirement Act of 1935.

Enforcement of laws; effect of decisions.

The Board shall take such steps as may be necessary to enforce such Acts and make awards and certify payments. Decisions by the Board upon issues of law and fact relating to pensions, annuities, or death benefits shall not be subject to review by any other administrative or accounting officer, agent, or employee of the United States.

Awards to applicants entitled to annuity.

"2. If the Board finds that an applicant is entitled to an annuity under the provisions of this Act or the Railroad Retirement Act of 1935 then the Board shall make an award fixing the amount of the annuity and shall certify the payment thereof as hereinafter provided; otherwise the application shall be denied.

"3. The Board shall from time to time certify to the Secretary of the Treasury the name and address of each individual entitled to receive a payment, the amount of such payment, and the time at which it should be made, and the Secretary of the Treasury through the Division of Disbursements of the Treasury Department, and prior to audit by the General Accounting Office, shall make payment in accordance with the certification by the Board. Certification of those entitled to receive payments.

"4. The Board shall establish and promulgate rules and regulations to provide for the adjustment of all controversial matters arising in the administration of such Acts, with power as a Board or through any member or designated subordinate thereof, to require and compel the attendance of witnesses, administer oaths, take testimony, and make all necessary investigations in any matter involving annuities or other payments and shall maintain such offices, provide such equipment, furnishings, supplies, services, and facilities, and employ such individuals and provide for their compensation and expenses as may be necessary for the proper discharge of its functions. In the employment of such individuals under the civil service laws and rules the Board shall give preference over all others to individuals who have had experience in railroad service, if, in the judgment of the Board, they possess the qualifications necessary for the proper discharge of the duties of the positions to which they are to be appointed. All rules, regulations, or decisions of the Board shall require the approval of at least two members except as provided in subdivision 5 of this subsection and they shall be entered upon the records of the Board, which shall be a public record. Notice of a decision of the Board, or of an employee thereof, shall be communicated to the applicant in writing within thirty days after such decision shall have been made. The Board shall gather, keep, compile, and publish in convenient form such records and data as may be necessary to assure proper administration of such Acts. The Board shall have power to require all employers and employees and any officer, board, commission, or other agency of the United States to furnish such information and records as shall be necessary for the administration of such Acts. The several district courts of the United States and the District Court of the United States for the District of Columbia shall have jurisdiction upon suit by the Board to compel obedience to any order of the Board issued pursuant to this section. The orders, writs, and processes of the District Court of the United States for the District of Columbia in such suits may run and be served anywhere in the United States. The Board shall make an annual report to the President of the United States to be submitted to Congress. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. Rules and regulations. Approval required. Records and data. Authority to compel furnishing of information, etc. Annual report. Witness fees.

"5. The Board is authorized to delegate to any of its employees the power to make decisions on applications for annuities or death benefits in accordance with rules and regulations prescribed by the Board: *Provided, however*, That any person aggrieved by a decision so made shall have the right to appeal to the Board. Delegation of authority. *Proviso.* Right of appeal.

"COURT JURISDICTION

"SEC. 11. An employee or other person aggrieved may apply to the district court of any district wherein the Board may have established an office or to the District Court of the United States for the District of Columbia to compel the Board (1) to set aside an action or decision of the Board claimed to be in violation of a legal right of the applicant or (2) to take action or to make a decision necessary for the enforcement of a legal right of the applicant. Such court Court jurisdiction.

shall have jurisdiction to entertain such application and to grant appropriate relief. The decision of the Board with respect to an annuity, pension, or death benefit shall not be subject to review by any court unless suit is commenced within one year after the decision shall have been entered upon the records of the Board and communicated to the person claiming the annuity, pension, or death benefit. The jurisdiction herein specifically conferred upon the Federal courts shall not be held exclusive of any jurisdiction otherwise possessed by such courts to entertain actions at law or suits in equity in aid of the enforcement of rights or obligations arising under the provisions of this Act or the Railroad Retirement Act of 1935.

"EXEMPTION

Exemption.

"SEC. 12. No annuity or pension payment shall be assignable or be subject to any tax or to garnishment, attachment, or other legal process under any circumstances whatsoever, nor shall the payment thereof be anticipated.

Penalties.

"PENALTIES

Failure to make report or furnish information.

"SEC. 13. Any officer or agent of an employer, as the word 'employer' is hereinbefore defined, or any employee acting in his own behalf, or any individual whether or not of the character hereinbefore defined, who shall willfully fail or refuse to make any report or furnish any information required, in accordance with the provisions of section 10 (b) 4, by the Board in the administration of this Act or the Railroad Retirement Act of 1935, or who shall knowingly make or cause to be made any false or fraudulent statement or report when a statement or report is required to be made for the purpose of such Acts, or who shall knowingly make or aid in making any false or fraudulent statement or claim for the purpose of causing an award or payment under such Acts, shall be punished by a fine of not more than $10,000 or by imprisonment not exceeding one year.

False, etc., statement.

Penalty.

"SEPARABILITY

Separability of provisions.

"SEC. 14. If any provision of this Act or the Railroad Retirement Act of 1935, or the application thereof to any person or circumstance, should be held invalid, the remainder of such Act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

"RAILROAD RETIREMENT ACCOUNT

Railroad Retirement Account.

"SEC. 15. (a) There is hereby created an account in the Treasury of the United States to be known as the Railroad Retirement Account.

Annual appropriations authorized.
Post, p. 470.

There is hereby authorized to be appropriated to the account for each fiscal year, beginning with the fiscal year ending June 30, 1937, as an annual premium an amount sufficient, with a reasonable margin for contingencies, to provide for the payment of all annuities, pensions, and death benefits in accordance with the provisions of this Act and the Railroad Retirement Act of 1935. Such amount shall be based on such tables of mortality as the Railroad Retirement Board shall from time to time adopt, and on an interest rate of 3 per centum per annum compounded annually. The Railroad Retirement Board shall submit annually to the Bureau of the Budget an estimate of the appropriation to be made to the account.

Annual estimate.

Investments.

"(b) At the request and direction of the Board, it shall be the duty of the Secretary of the Treasury to invest such portion of the

amounts credited to the account as, in the judgment of the Board, is not immediately required for the payment of annuities, pensions, and death benefits in accordance with the provisions of this Act and the Railroad Retirement Act of 1935 in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired on original issue at par or by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the account. Such special obligations shall bear interest at the rate of 3 per centum per annum. Obligations other than such special obligations may be acquired for the account only on such terms as to provide an investment yield of not less than 3 per centum per annum. It shall be the duty of the Secretary of the Treasury to sell and dispose of obligations in the account if it shall be in the interest of the account so to do. Any obligations acquired by the account, except special obligations issued exclusively to the account, may be sold at the market price. Special obligations issued exclusively to the account shall, at the request of the Board, be redeemed at par plus accrued interest. All amounts credited to the account shall be available for the payment of all annuities, pensions, and death benefits in accordance with the provisions of this Act and the Railroad Retirement Act of 1935.

Sale, etc., of obligations.

"(c) The Board is hereby authorized and directed to select two actuaries, one from recommendations made by representatives of employees and the other from recommendations made by representatives of carriers. These actuaries, along with a third who shall be designated by the Secretary of the Treasury, shall be known as the Actuarial Advisory Committee with respect to the Railroad Retirement Account. The committee shall examine the actuarial reports and estimates made by the Railroad Retirement Board and shall have authority to recommend to the Board such changes in actuarial methods as they may deem necessary. The compensation of the members of the committee of actuaries, exclusive of the member designated by the Secretary, shall be fixed by the Board on a per-diem basis.

Actuarial Advisory Committee.

Duties, etc.

"(d) The Board shall include in its annual report a statement of the status and the operations of the Railroad Retirement Account. At intervals not longer than three years the Board shall make an estimate of the liabilities created by this Act and the Railroad Retirement Act of 1935 and shall include such estimate in its annual report. Such report shall also contain an estimate of the reduction in liabilities under Title II of the Social Security Act arising as a result of the maintenance of this Act and the Railroad Retirement Act of 1935.

Annual statements.

"APPROPRIATION FOR ADMINISTRATIVE EXPENSES

"SEC. 16. There is hereby authorized to be appropriated from time to time such sums as may be necessary to provide for the expenses of the Board in administering the provisions of this Act and the Railroad Retirement Act of 1935.

Sums authorized for administrative expenses.

"SOCIAL SECURITY ACT

Social Security Act.

"SEC. 17. The term 'employment', as defined in subsection (b) of section 210 of title II of the Social Security Act, shall not include service performed by an individual as an employee as defined in section 1 (b).

"Employment", term modified.
49 Stat. 625.
42 U. S. C., Supp. II, § 1107.

"FREE TRANSPORTATION

Free transportation to annuitants, etc., not unlawful.

"SEC. 18. It shall not be unlawful for carriers by railroad subject to this Act to furnish free transportation to individuals receiving annuities or pensions under this Act or the Railroad Retirement Act of 1935 in the same manner as such transportation is furnished to employees in their service."

PART II

Citations of titles. 49 Stat. 967.

SEC. 201. The Act entitled "An Act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes", approved August 29, 1935, as in force prior to its amendment by part I of this Act, may be cited as the "Railroad Retirement Act of 1935"; and such Act, as amended by part I of this Act, may be cited as the "Railroad Retirement Act of 1937".

Conditions of eligibility for annuities.

SEC. 202. The claims of individuals (and the claims of spouses and next of kin of such individuals) who, prior to the date of the enactment of this Act, relinquished all rights to return to the service of a carrier as defined in the Railroad Retirement Act of 1935 or ceased to be employee representatives as defined therein, and became eligible for annuities under such Act, shall be adjudicated by the Board in the same manner and with the same effect as if this Act had not been enacted: *Provided*, *however*, That with respect to any such claims no reduction shall be made in any annuity certified after the date of the enactment of this Act because of continuance in service after age sixty-five: *And provided further*, That service rendered prior to August 29, 1935, to a company which on that date was a carrier as defined in the Railroad Retirement Act of 1935, shall be included in the service period in connection with any annuity certified in whole or in part by the Board after the date of the enactment of this Act, irrespective of whether at the time such service was rendered such company was a carrier as defined in the Railroad Retirement Act of 1935; and service rendered prior to August 29, 1935, to any express company, sleeping-car company, or carrier by railroad which was a predecessor of a company which on that date was a carrier as defined in the Railroad Retirement Act of 1935, shall also be included in the service period in connection with any annuity certified in whole or in part by the Board after the date of the enactment of this Act, irrespective of whether at the time such service was rendered such predecessor was a carrier as defined in the Railroad Retirement Act of 1935: *And provided further*, That annuity payments due an individual under the Railroad Retirement Act of 1935 but not yet paid at death shall be paid to a surviving spouse if such spouse is entitled to an annuity under an election made pursuant to the provisions of section 5 of such Act; otherwise they shall be paid to such person or persons as the deceased may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the legal representative of the deceased.

Provisos.
No reduction because of continuance in service after 65.

Prior services included.

Unpaid annuity due at death.

Person relinquishing employment and ineligible for annuity under Act of 1935, adjudication of right thereto.

SEC. 203. Any individual who, prior to the date of the enactment of this Act, relinquished all rights to return to the service of a carrier as defined in the Railroad Retirement Act of 1935 or ceased to be an employee representative as defined in such Act, and who is not eligible for an annuity under that Act but who would have been eligible for an annuity under the Railroad Retirement Act of 1937 had such Act been in force from an[1] after August 29, 1935, shall have his right to an annuity adjudicated under the Railroad Retirement Act of 1937: *Provided*, *however*, That no such annuity shall begin prior to the date of the enactment of this Act.

Proviso.
No prior annuity.

[1] So in original.

Rights under former Act.

SEC. 204. The Railroad Retirement Act of 1935 shall continue in force and effect with respect to the rights of individuals granted annuities prior to the date of the enactment of this Act.

Railroad Retirement Board, personnel of.

SEC. 205. The enactment of this Act shall have no effect on the status, tenure of office, or compensation of the present members, officers, and employees of the Railroad Retirement Board; except that individuals who have had experience in railroad service shall be retained in the employ of the Board, whether or not qualified under the civil service laws and rules, if in the judgment of the Board they possess the qualifications necessary for the proper discharge of the duties of the positions which they are holding.

Approved, June 24, 1937.

[CHAPTER 383]

AN ACT

To establish a Civilian Conservation Corps, and for other purposes.

June 28, 1937
[H. R. 6551]
[Public, No. 163]

Civilian Conservation Corps
Establishment, purpose, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established the Civilian Conservation Corps, hereinafter called the Corps, for the purpose of providing employment, as well as vocational training, for youthful citizens of the United States who are unemployed and in need of employment, and to a limited extent as hereinafter set out, for war veterans and Indians, through the performance of useful public work in connection with the conservation and development of the natural resources of the United States, its Territories, and insular possessions: *Provided*, That at least ten hours each week may be devoted to general educational and vocational training: *Provided*, That the provisions of this Act shall continue for the period of three years after July 1, 1937, and no longer.

Provisos.
Educational and vocational training.
Duration of Act.

Director; appointment, salary, authority.

SEC. 2. The President, by and with the advice and consent of the Senate, is authorized to appoint a Director at a salary of $10,000 per annum. The Director shall have complete and final authority in the functioning of the Corps, including the allotment of funds to cooperating Federal departments and agencies, subject to such rules and regulations as may be prescribed by the President in accordance with the provisions of this Act.

Employment of Corps in protection, etc., of natural resources.

SEC. 3. In order to carry out the purpose of this Act, the Director is authorized to provide for the employment of the Corps and its facilities on works of public interest or utility for the protection, restoration, regeneration, improvement, development, utilization, maintenance, or enjoyment of the natural resources of lands and waters, and the products thereof, including forests, fish and wildlife on lands or interest in lands (including historical or archeological sites), belonging to, or under the jurisdiction or control of, the United States, its Territories, and insular possessions, and the several States: *Provided*, That the President may, in his discretion, authorize the Director to undertake projects on lands belonging to or under the jurisdiction or control of counties, and municipalities, and on lands in private ownership, but only for the purpose of doing thereon such kinds of cooperative work as are or may be provided for by Acts of Congress, including the prevention and control of forest fires, forest tree pests and diseases, soil erosion, and floods: *Provided further*, That no projects shall be undertaken on lands or interests in lands, other than those belonging to or under the jurisdiction or control of the United States, unless adequate provisions are made by the cooperating agencies for the maintenance, operation, and utilization of such projects after completion.

Provisos.
Cooperation with municipalities, etc.; restriction.

Maintenance, etc., after completion.

Emergency Conservation Work
Transfer of personnel, property, etc., to Corps
48 Stat 22.
Camp exchange

SEC. 4. There are hereby transferred to the Corps all enrolled personnel, records, papers, property, funds, and obligations of the Emergency Conservation Work established under the Act of March 31, 1933 (48 Stat. 22), as amended; and the Corps shall take over the institution of the camp exchange heretofore established and maintained, under supervision of the War Department, in connection with and aiding in administration of Civilian Conservation Corps work-camps conducted under the authority of said Act as amended: *Provided*, That such camp exchange shall not sell to persons not connected with the operation of the Civilian Conservation Corps.

Proviso
Sales restricted.

Civilian personnel

SEC. 5. The Director and, under his supervision, the heads of other Federal departments or agencies cooperating in the work of the Corps, are authorized within the limit of the allotments of funds therefor, to appoint such civilian personnel as may be deemed necessary for the efficient and economical discharge of the functions of the Corps without regard to the civil-service laws and regulations.

Detail of officers to Corps.
43 Stat 1075; 41 Stat. 776

SEC. 6. The President may order Reserve officers of the Army and officers of the Naval and Marine Reserves and warrant officers of the Coast Guard to active duty with the Corps under the provisions of section 37a of the National Defense Act and the Act of February 28, 1925, respectively.

Maximum enrollment, number of war veterans.

SEC. 7. The Director is authorized to have enrolled not to exceed three hundred thousand men at any one time, of which not more than thirty thousand may be war veterans: *Provided*, That in addition thereto camps or facilities may be established for not to exceed ten thousand additional Indian enrollees and five thousand additional territorial and insular possession enrollees.

Proviso.
Additional Indian, etc., enrollees.

Qualifications of enrollees.

SEC. 8. The enrollees in the Corps (other than war veterans, enrollees in the Territories and insular possessions, Indians, not to exceed one mess steward, three cooks, and one leader per each company) shall be unmarried male citizens of the United States between the ages of seventeen and twenty-three years, both inclusive, and shall at the time of enrollment be unemployed and in need of employment: *Provided*, That the Director may exclude from enrollment such classes of persons as he may consider detrimental to the well-being or welfare of the Corps, except that no person shall be excluded on account of race, color, or creed: *Provided further*, That enrollments shall be for a period of not less than six months and reenrollments (except in the case of one mess steward, three cooks, and one leader, in each company, and War Veterans) shall not exceed a total term of two years: *Provided further*, That in the discretion of the Director continuous service by the enrollee during his period of enrollment shall not be required in any case where the enrollee attends an educational institution of his choice during his leave of absence: *Provided further*, That the Director shall be authorized to issue certificates of proficiency and merit to enrollees under such rules and regulations as he may provide.

Provisos
Right to exclude; exception.

Enrollment and reenrollment periods.

Attendance at educational institutions.

Certificates of proficiency and merit.

Compensation of enrollees.
Allotments to dependents.

SEC. 9. The compensation of enrollees shall be in accordance with schedules approved by the President, and enrollees with dependent member or members of their families shall be required, under such regulations as may be prescribed by the Director, to make allotments of pay to such dependents. Other enrollees may make deposits of pay in amounts specified by the Director with the Chief of Finance, War Department, to be repaid in case of an emergency or upon completion of or release from enrollment and to receive the balance of their pay in cash monthly: *Provided*, That Indians may be excluded from these regulations: *Provided further*, That the pay of enrollees shall not exceed $30 per month, except for not more than ten per centum who may be designated as assistant leaders and who shall

Deposits by other enrollees; repayment.

Provisos.
Exclusion of Indians from regulations.
Pay rates.

receive not more than $36 per month: *Provided further*, That not to exceed an additional 6 per centum of such enrollees who may be designated as leaders and may receive not more than $45 per month as such leaders. Leaders.

SEC. 10. Enrollees shall be provided, in addition to the monthly rates of pay, with such quarters, subsistence, and clothing, or commutation in lieu thereof, medical attention, hospitalization, and transportation as the Director may deem necessary: *Provided*, That burial, embalming, and transportation expenses of deceased enrolled members of the Corps, regardless of the cause and place of death, shall be paid in accordance with regulations of the Employees' Compensation Commission: *Provided further*, That the provisions of the Act of February 15, 1934 (U. S. C., 1934 ed., title 5, sec. 796), relating to disability or death compensation and benefits shall apply to the enrolled personnel of the Corps. Allowances. *Provisos.* Burial, etc., expenses. Disability or death compensation. 48 Stat. 351. 5 U. S. C. § 796.

SEC. 11. The Chief of Finance, War Department, is hereby designated, empowered, and directed, until otherwise ordered by the President, to act as the fiscal agent of the Director in carrying out the provisions of this Act: *Provided*, That funds allocated to Government agencies for obligation under this Act may be expended in accordance with the laws, rules, and regulations governing the usual work of such agency, except as otherwise stipulated in this Act: *Provided further*, That in incurring expenditures, the provisions of section 3709, Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5), shall not apply to any purchase or service when the aggregate amount involved does not exceed the sum of $300. Chief of Finance, War Department, to act as fiscal agent. *Provisos.* Expenditure of allocated funds. Minor purchases. R. S. § 3709. 41 U. S. C. § 5.

SEC. 12. The President is hereby authorized to utilize the services and facilities of such departments or agencies of the Government as he may deem necessary for carrying out the purposes of this Act. Government agencies, use of services, etc., of.

SEC. 13. The Director and, under his supervision, the cooperating departments and agencies of the Federal Government are authorized to enter into such cooperative agreements with States and civil divisions as may be necessary for the purpose of utilizing the services and facilities thereof. Cooperative agreements with States, etc.

SEC. 14. The Director may authorize the expenditure of such amounts as he may deem necessary for supplies, materials, and equipment for enrollees to be used in connection with their work, instruction, recreation, health, and welfare, and may also authorize expenditures for the transportation and subsistence of selected applicants for enrollment and of discharged enrollees while en route upon discharge to their homes. Expenditures for supplies, etc.

SEC. 15. That personal property as defined in the Act of May 29, 1935 (49 Stat. 311), belonging to the Corps and declared surplus by the Director, shall be disposed of by the Procurement Division, Treasury Department, in accordance with the provisions of said Act: *Provided*, That unserviceable property in the custody of any department shall be disposed of under the regulations of that Department. Disposal of surplus property. 49 Stat. 311. *Proviso.* Unserviceable property.

SEC. 16. The Director and, under his supervision, the heads of cooperating departments and agencies are authorized to consider, ascertain, adjust, determine, and pay from the funds appropriated by Congress to carry out the provisions of this Act any claim arising out of operations authorized by the Act accruing after the effective date thereof on account of damage to or loss of property or on account of personal injury to persons not provided for by section 10 of this Act, caused by the negligence of any enrollee or employee of the Corps while acting within the scope of his employment: *Provided*, That the amount allowed on account of personal injury shall be limited to necessary medical and hospital expenses: *Provided further*, That this section shall not apply to any claim on account of personal Adjustment, etc., of claims arising out of Corps operations. *Provisos.* Personal injury allowance. Exception.

Restriction.

injury for which a remedy is provided by section 10 of this Act: *Provided further*, That no claim shall be considered hereunder which is in excess of $500, or which is not presented in writing within one year from the date of accrual thereof: *Provided further*, That acceptance by any claimant of the amount allowed on account of his claim shall be deemed to be in full settlement thereof, and the action of the Director or of the head of a cooperating department or agency upon such claim so accepted by the claimant shall be conclusive.

Acceptance deemed full settlement.

Appropriations authorized.
Post, p. 470.

SEC. 17. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the purpose of carrying out the purposes of this Act: *Provided*, That no part of any such appropriation shall be used in any way to pay any expense in connection with the conduct, operation, or management of any camp exchange, save and except such camp exchanges as are established and operated, in accordance with regulations to be prescribed by the Director, at such camps as may be designated by him, for real assistance and convenience to enrollees in supplying them and their supervising personnel on duty at any such camp with articles of ordinary use and consumption not furnished by the Government: *Provided further*, That the person in charge of any such camp exchange shall certify, monthly, that during the preceding calendar month such exchange was operated in compliance therewith.

Provisos.
Camp exchanges.

Monthly certificate of compliance.

Effective date.

SEC. 18. This Act, except as otherwise provided, shall take effect July 1, 1937.

Approved, June 28, 1937.

[CHAPTER 384]

AN ACT

June 28, 1937
[S. 4]
[Public, No. 164]

To authorize the coinage of 50-cent pieces in commemoration of the three-hundredth anniversary of the original Norfolk (Virginia) land grant and the two-hundredth anniversary of the establishment of the city of Norfolk, Virginia, as a borough.

Norfolk, Va.
Commemorative coins authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the three-hundredth anniversary of the original Norfolk (Virginia) land grant and the two-hundredth anniversary of the establishment of the city of Norfolk, Virginia, as a borough there shall be coined at one mint only of the United States to be designated by the Director of the Mint not to exceed twenty-five thousand silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

No Federal expense for dies, etc.

Date, issue, etc.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Norfolk Advertising Board, Incorporated, affiliated with the Norfolk Association of Commerce upon payment by it of the par value of such coins, but not less than twenty-five thousand such coins shall be issued to it at any one time and no such coins shall be issued after the expiration of one year after the date of enactment of this Act. Such coins may be disposed of at par or at a premium by such association, subject to the approval of the Director of the Mint, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

Number.

Disposition.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material and for the transportation, distribution, and redemption of coins; for the prevention of debasement or counterfeiting; for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Coinage laws applicable.

Approved, June 28, 1937.

[CHAPTER 385]

AN ACT

To extend the time for purchase and distribution of surplus agricultural commodities for relief purposes and to continue the Federal Surplus Commodities Corporation.

June 28, 1937
[S. 2439]
[Public, No. 165]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in carrying out the provisions of clause (2) of section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, the Secretary of Agriculture may transfer to the Federal Surplus Commodities Corporation, which Corporation is hereby continued, until June 30, 1939, as an agency of the United States under the direction of the Secretary of Agriculture, such funds, appropriated by said section 32, as may be necessary for the purpose of effectuating said clause (2) of section 32: *Provided*, That such transferred funds, together with other funds of the Corporation, may be used for purchasing, exchanging, processing, distributing, disposing, transporting, storing, and handling of agricultural commodities and products thereof and inspection costs, commissions, and other incidental costs and expenses, without regard to the provisions of existing law governing the expenditure of public funds and for administrative expenses, including rent, printing and binding, and the employment of persons and means, in the District of Columbia and elsewhere, such employment of persons to be in accordance with the provisions of law applicable to the employment of persons by the Agricultural Adjustment Administration.

Federal Surplus Commodities Corporation, continuation of.
49 Stat. 774.
Transfer of funds.

Proviso.
Use in effectuating purposes of section.

Administrative, etc., expenses

In carrying out clause (2) of section 32, the funds appropriated by said section may be used for the purchase, without regard to the provisions of existing law governing the expenditure of public funds, of agricultural commodities and products thereof, and such commodities, as well as agricultural commodities and products thereof purchased under the preceding paragraph hereof, may be donated for relief purposes.

Purchase and donation of agricultural commodities for relief purposes.

Approved, June 28, 1937.

[CHAPTER 386]

AN ACT

To further amend an Act entitled "An Act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives", approved March 3, 1925, as amended.

June 28, 1937
[S. 2242]
[Public, No. 166]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 168d of the Act entitled "An Act to authorize the collection and editing of official papers of the Territories of the United States now in national archives", approved March 3, 1925, as amended by the Act approved February 28, 1929 (U. S. C., Supp. 7, title V, sec. 168a), and by the Act approved February 14, 1936 (49 Stat. 1139), be, and the same

Territorial papers of the United States.
Amount authorized for collecting, editing, etc., increased.
43 Stat. 1104; 45 Stat. 1412; 49 Stat. 1139.
5 U. S. C., Supp. II, § 168a.

is hereby, amended by striking out the words "there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than the sum of $125,000, and under this authorization not more than $50,000 shall be appropriated for any one year" and inserting in lieu thereof the following: "there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not more than the sum of $250,000, and under this authorization not more than $25,000 shall be appropriated for any one year."

Limitation on annual appropriations.

Approved, June 28, 1937.

[CHAPTER 387]

JOINT RESOLUTION

June 28, 1937
[H. J. Res. 415]
[Pub. Res., No. 45]

Making an appropriation to defray expenses incident to the dedication of chapels and other World War memorials erected in Europe, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of providing for the dedication of the chapels and other World War memorials erected in Europe under the authority of the Act of March 4, 1923 (42 Stat. 1509), there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $175,000, to remain available until June 30, 1938, and to be available for expenditure by the American Battle Monuments Commission for such objects and in such manner as the Commission may deem necessary and proper to accomplish the purposes hereof without regard to the provisions of other laws or regulations relating to the expenditure of public funds except that this exemption shall not be construed as waiving the requirement for the submission of accounts and vouchers to the General Accounting Office for audit. The Commission may utilize the services, materials, supplies, equipment, and other facilities of any other agency of the Government when, in the discretion of such other agency, it is convenient and practicable to furnish the same, the cost thereof to be paid from this appropriation, except that when, in the discretion of the furnishing agency, the public interest will be subserved thereby such services, materials, supplies, equipment, and other facilities may be furnished free of charge to the Commission. The Commission may, within such limits and under such terms and conditions as it may prescribe, delegate to its chairman, secretary, or other designated representatives such of its authority as it may deem necessary and proper in carrying out the purposes hereof. The official delegation designated by the Commission to attend such dedication shall include three Members of the United States Senate, to be appointed by the Vice President or the President pro tempore of the Senate, and three Members of the House of Representatives to be appointed by the Speaker.

World War memorials in Europe.
Appropriation for defraying dedication expenses.
42 Stat. 1509.
36 U. S. C. § 121.

Official delegation.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed, upon the request of the Secretary of Commerce, to transfer, during the fiscal year 1937, from the appropriation "Salaries and general expenses for the Bureau of Marine Inspection and Navigation, fiscal year 1937", to the appropriation "Departmental salaries, Bureau of Marine Inspection and Navigation, fiscal year 1937", not to exceed $8,000.

Transfer of funds.
49 Stat. 1337.

SEC. 3. There is hereby transferred from the appropriation "Fees of jurors and witnesses, United States courts, 1937" to the appropriation "Pay of special assistant attorneys, United States courts, 1937", the amount of $40,000.

49 Stat. 1326, 1327.

Committee to Audit and Control Contingent Expenses of the Senate.
Salary of assistant clerk
Ante, p. 170.

SEC. 4. The appropriation in the Legislative Branch Appropriation Act, 1938 (Public Act Numbered 94, Seventy-fifth Congress), for an assistant clerk at $2,800 for the Committee to Audit and Control the Contingent Expenses of the Senate, is hereby amended to make the salary of such assistant clerk read "$2,880".

Stinson Aircraft Corporation.
Payment to.

SEC. 5. The Comptroller General of the United States is authorized and directed to approve payment for nine airplanes obtained from the Stinson Aircraft Corporation, Wayne, Michigan, under contract Cc-2510, dated October 1, 1936, out of an allotment of $83,000 made by the President of the United States on March 23, 1937, for this purpose from the Emergency Relief Appropriation Act of 1935.

49 Stat. 115.

Approved, June 28, 1937.

[CHAPTER 390]

AN ACT

June 28, 1937
[S. 119]
[Public, No. 167]

To provide for the establishment of a Coast Guard station at or near Menominee, Michigan.

Menominee, Mich.
Establishment of Coast Guard station at, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Menominee, Michigan, at such point as the Commandant of the Coast Guard may recommend.

Approved, June 28, 1937.

[CHAPTER 391]

AN ACT

June 28, 1937
[S. 1374]
[Public, No. 168]

To provide for the establishment of a Coast Guard station at or near Manistique, Michigan.

Manistique, Mich.
Establishment of Coast Guard station at, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station at or in the vicinity of Manistique, Schoolcraft County, Michigan, at such point as the Commandant of the Coast Guard may recommend.

Approved, June 28, 1937.

[CHAPTER 392]

AN ACT

June 28, 1937
[S. 1984]
[Public, No. 169]

For the protection of the northern Pacific halibut fishery.

Northern Pacific Halibut Act of 1937.
Citation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Northern Pacific Halibut Act of 1937".

Definitions.

SEC. 2. When used in this Act—

"Convention."

(a) Convention: The word "Convention" means the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa on the 29th day of January 1937, and shall include the regulations of the International Fisheries Commission promulgated thereunder.

"Commission."

(b) Commission: The word "Commission" means the International Fisheries Commission provided for by article III of the Convention.

"Person."

(c) Person: The word "person" includes partnerships, associations, and corporations.

"Territorial waters of the United States."

(d) Territorial waters of the United States: The term "Territorial waters of the United States" means the Territorial waters contiguous to the western coast of the United States and the territorial waters contiguous to the southern and western coasts of Alaska.

"Territorial waters of Canada."

(e) Territorial waters of Canada: The term "territorial waters of Canada" means the territorial waters contiguous to the western coast of Canada.

"Convention waters."

(f) Convention waters: The term "Convention waters" means the territorial waters of the United States, the territorial waters of Canada, and the high seas of the Northern Pacific Ocean and the Bering Sea, extending westerly from the limits of the territorial waters of the United States and of Canada.

"Halibut."

(g) Halibut: The word "halibut" means the species of Hippoglossus inhabiting Convention waters.

"Vessel."

(h) Vessel: The word "vessel" includes every description of water craft or other contrivance used, or capable of being used, as a means of transportation in water.

Unlawful acts.

SEC. 3. It shall be unlawful for—

Person other than national, etc., catching halibut in U. S. territorial waters.

(a) any person other than a national or inhabitant of the United States to catch or attempt to catch any halibut in the territorial waters of the United States;

Use of vessel of nonsignatory nation.

(b) any person to transfer to or to receive upon any vessel of the United States, or to bring to any place within the jurisdiction of the United States any halibut caught in Convention waters by the use of any vessel of a nation not a party to the Convention, or caught in Convention waters by any national or inhabitant of the United States or Canada in violation of the Convention or of this Act;

Catches in violation of Convention or Act.

Catches, etc., by national, etc, in violation of Convention or Act.

(c) any national or inhabitant of the United States to catch, attempt to catch, or to possess any halibut in the territorial waters of the United States or in Convention waters in violation of any provision of the Convention or of this Act;

Outfitting vessels, etc.

(d) any person within the territory or jurisdiction of the United States to furnish, prepare, outfit, or provision any vessel, other than a vessel of the United States or Canada, in connection with any voyage during which such vessel is intended to be, is being, or has been employed in catching, attempting to catch, or possessing any halibut in Convention waters or the territorial waters of the United States or Canada;

(e) any person within the territory or jurisdiction of the United States to furnish, prepare, outfit, or provision any vessel of the United States or Canada in connection with any voyage during which such vessel is intended to be, is being, or has been employed in catching, attempting to catch, or possessing any halibut in violation of any provision of the Convention or of this Act;

Unlawful possession, etc.

(f) any person within the territory or jurisdiction of the United States or any national or inhabitant of the United States within Convention waters knowingly to have or have had in his possession any halibut taken, transferred, received, or brought in in violation of any provision of the Convention or of this Act;

Departure in vessel which departs in violation of Convention, etc.

(g) any person to depart from any place within the jurisdiction of the United States in any vessel which departs from such place in violation of the Convention or of this Act;

Halibut caught incidentally to fishing for other species.

(h) any person in the territorial waters of the United States or any national or inhabitant of the United States in Convention waters to catch or attempt to catch any halibut, or to possess any halibut caught incidentally to fishing for other species of fish by the use of or in any vessel required by the Convention to have on board any

license or permit unless such vessel shall have on board a license or permit which shall comply with all applicable requirements of the Convention, and which shall be available for inspection at any time by any officer authorized to enforce the Convention or by any representative of the Commission; License or permit.

(i) any person to take, retain, land, or possess any halibut caught incidentally to fishing for other species of fish, in violation of any provision of the Convention or of this Act. Unlawful possession, etc.

SEC. 4. It shall be unlawful for the master or owner or person in charge of any vessel or any other person required by the Convention to make, keep, or furnish any record or report, to fail to do so, or to refuse to permit any officer authorized to enforce the Convention or any representative of the Commission to examine and inspect any such record or report at any time. Records and reports to be maintained. Inspection.

SEC. 5. (a) The provisions of the Convention and of this Act and any regulations issued under this Act shall be enforced by the Coast Guard, the Customs Service, and the Bureau of Fisheries. For such purposes any officer of the Coast Guard, Customs, or Fisheries may at any time go on board of any vessel in territorial waters of the United States, or any vessel of the United States or Canada in Convention waters, except in the territorial waters of Canada, to address inquiries to those on board and to examine, inspect, and search the vessel and every part thereof and any person, trunk, package, or cargo on board, and to this end may hail and stop such vessel, and use all necessary force to compel compliance. Enforcement of provisions. Boarding vessel to address inquiries, inspect, etc.

(b) Whenever it appears to any such officer that any person, other than a national or inhabitant of Canada, on any vessel of the United States is violating or has violated any provision of the Convention or of this Act, he shall arrest such person and seize any such vessel employed in such violation. If any such person on any such vessel of the United States is a national or inhabitant of Canada, such person shall be detained and shall be delivered as soon as practicable to an authorized officer of Canada at the Canadian port or place nearest to the place of detention or at such other port or place as such officers of the United States and of Canada may agree upon. Arrest and seizure.

(c) Whenever it appears to any such officer of the United States that any person, other than a national or inhabitant of the United States, on any vessel of Canada in Convention waters, except in the territorial waters of Canada, is violating or has violated any provision of the Convention, such person, and any such vessel employed in such violation, shall be detained and such person and such vessel shall be delivered as soon as practicable to an authorized officer of Canada at the Canadian port or place nearest to the place of detention, or at such other port or place as such officers of the United States and of Canada may agree upon. If any such person on any such vessel of Canada is a national or inhabitant of the United States, such person shall be arrested as provided for in subsection (b) of this section. Detention and delivery. National aboard Canadian vessel.

(d) Officers or employees of the Coast Guard, Customs, and Fisheries may be directed to attend as witnesses and to produce such available records and files or certified copies thereof as may be produced compatibly with the public interest and as may be considered essential to the prosecution in Canada of any violation of the provisions of the Convention or any Canadian law for the enforcement thereof when requested by the appropriate Canadian authorities in the manner prescribed in article V of the Convention to suppress smuggling concluded between the United States and Canada on June 6, 1924 (44 Stat. (pt. 3), 2097). Attendance of Coast Guard, etc., personnel as witnesses; production of records, etc. 44 Stat. 2098.

Punishment for violation.

SEC. 6. (a) Any person violating any provision of section 3 of this Act upon conviction shall be fined not more than $1,000 nor less than $100 or be imprisoned for not more than one year, or both.

Forfeiture of cargo.

(b) The cargo of halibut of every vessel employed in any manner in connection with the violation of any provision of section 3 of this Act shall be forfeited; upon a second violation of the provisions of section 3 of this Act, every such vessel, including its tackle, apparel, furniture, and stores may be forfeited and the cargo of halibut of every such vessel shall be forfeited; and, upon a third or subsequent violation of the provisions of section 3 of this Act, every such vessel, including its tackle, apparel, furniture, cargo, and stores shall be forfeited.

Second violation.

Third and subsequent violations.

Procedure relative to seizure, etc.

(c) All provisions of law relating to the seizure, judicial forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as such provisions of law are applicable and not inconsistent with the provisions of this Act: *Provided*, That except as provided in section 5 hereof all rights, powers, and duties conferred or imposed by this Act upon any officer or employee of the Treasury Department shall, for the purposes of this Act, be exercised or performed by the Secretary of Commerce or by such persons as he may designate.

Proviso. Powers conferred on Secretary of Commerce.

Penalty provision.

SEC. 7. Any person violating section 4 of this Act shall be subject to a penalty of $50 for each such violation. The Secretary of Commerce is authorized and empowered to mitigate or remit any such penalty in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.

Exemptions.

SEC. 8. None of the prohibitions contained in this Act shall apply to the Commission or its agents when engaged in any scientific investigation.

Joint rules and regulations to be made.

SEC. 9. The Secretary of the Treasury and the Secretary of Commerce are authorized to make such joint rules and regulations as may be necessary to carry out the provisions of this Act.

Effective date.

SEC. 10. This Act shall take effect on the date of exchange of ratifications of the Convention signed by the United States of America and Canada, on January 29, 1937, for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, unless such date shall be prior to the date of approval of this Act in which case it shall take effect immediately.

Approved, June 28, 1937.

[CHAPTER 393]

JOINT RESOLUTION

June 28, 1937
[H. J. Res. 380]
[Pub Res., No. 46]

To provide for the publication and sale by the Northwest Territory Celebration Commission of certain historical and educational material.

Northwest Territory Celebration Commission.
49 Stat. 512.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution to provide for the observance and celebration of the one hundred and fiftieth anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory", approved August 2, 1935, is amended by adding at the end thereof a new section to read as follows:

Publication and sale of historical, etc., material authorized.

"SEC. 5. (a) The Commission is authorized to prepare, publish, and sell such historical and educational material pertaining to the Ordinance of 1787 and the settlement of the Northwest Territory as it deems advisable for the dissemination of information and the advance-

ment of knowledge concerning such Ordinance and settlement. Sums received from the sale of such published material are hereby authorized to be appropriated as a revolving fund for the continued publication and sale of such material.

Receipts to create a revolving fund for continuance of publication, etc.

"(b) The Commission is authorized to have printing, binding, photolithography, and other work done at establishments other than the Government Printing Office."

Printing, etc., other than at Government Printing Office.

Approved, June 28, 1937.

[CHAPTER 395]

AN ACT

June 28, 1937
[H. R. 3687]
[Public, No. 170]

To extend the period during which the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act may be carried out by payments by the Secretary of Agriculture to producers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 8 (a) of the Soil Conservation and Domestic Allotment Act, as amended, is amended by—

Soil Conservation and Domestic Allotment Act, amendments.
49 Stat. 1149.

(1) Striking out "January 1, 1938" wherever appearing therein and inserting in lieu thereof "January 1, 1942"; and

Powers of Secretary of Agriculture extended, where State plan inoperative.

(2) Striking out "December 31, 1937" and inserting in lieu thereof "December 31, 1941".

(b) Section 7 (g) of such Act, as amended, is amended by striking out "apportionments of funds available for carrying out the purposes specified in this section for the year 1936 may be made at any time during 1936, and apportionments for 1937 may be made at any time during 1937" and inserting in lieu thereof "any such apportionment of funds available for carrying out State plans during any year prior to 1942 may be made at any time prior to or during the year to which such plans relate".

Apportionments for carrying out State plans continued until 1942.

SEC. 2. Section 9 of such Act is amended by inserting at the end thereof the following: "The Secretary shall transmit to the Congress a report, for the fiscal year ending June 30, 1937, and for each fiscal year thereafter, of the operations for such year under sections 7 to 14, inclusive, of this Act, which report shall include a statement of the expenditures made and obligations incurred, by classes and amounts."

Annual reports to Congress.

Approved, June 28, 1937.

[CHAPTER 396]

AN ACT

June 28, 1937
[H. R. 4064]
[Public, No. 171]

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1938, namely:

Independent Offices Appropriation Act, 1938.

EXECUTIVE OFFICE

Executive Office.

COMPENSATION OF THE PRESIDENT AND VICE PRESIDENT

Compensation.

For compensation of the President of the United States, $75,000.

President.

For compensation of the Vice President of the United States, $15,000.

Vice President.

Office of the President

OFFICE OF THE PRESIDENT

Salaries.

Salaries: For personal services in the office of the President, including the Secretary to the President, and two additional secretaries to the president at $10,000 each; $133,680: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be deemed necessary.

Proviso. Temporary details.

Contingent expenses.

Contingent expenses: For contingent expenses of the Executive Office, including stationery, record books, telegrams, telephones, books for library, furniture and carpets for offices, automobiles, expenses of garage, including labor, special services, and miscellaneous items to be expended in the discretion of the President, $50,000.

Printing and binding.

For printing and binding, $2,700.

Traveling, etc., expenses.

Traveling expenses: For traveling and official entertainment expenses of the President of the United States, to be expended in his discretion and accounted for on his certificate solely, $25,000.

Total, Executive Office proper, $301,380.

Executive Mansion and Grounds.

EXECUTIVE MANSION AND GROUNDS

Care, repair, etc. *Post*, p. 757.

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures of the Executive Mansion, the Executive Mansion greenhouses, including reconstruction, and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, $193,098, of which $50,000 shall be immediately available.

Total, Executive Office, $494,478.

Independent Establishments.

INDEPENDENT ESTABLISHMENTS

American Battle Monuments Commission.

AMERICAN BATTLE MONUMENTS COMMISSION

All expenses. 42 Stat. 1509. 36 U. S. C. §§ 121–133.

Acquisition of land abroad.

R. S. § 355. 34 U. S. C. § 520. 40 U. S. C. § 255.

Services in the District.

Living quarters. 46 Stat. 818. 5 U. S. C. § 118a.

Uniforms for caretakers.

Vehicles.

Printing, binding, etc.

Continuing appropriations. 49 Stat. 1169.

For every expenditure requisite for or incident to the work of the American Battle Monument Commission authorized by the Act of March 4, 1923 (U. S. C., title 36, secs. 121–133), and by Executive Order Numbered 6614 of February 26, 1934, including the acquisition of land or interest in land in foreign countries for carrying out the purposes of said Act and Executive order without submission to the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (U. S. C., title 34, sec. 520; title 40, sec. 255); employment of personal services in the District of Columbia and elsewhere; including not to exceed $3,000 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a); purchase and repair of uniforms for caretakers of national cemeteries and monuments in Europe at a cost not exceeding $1,200; travel expenses; rent of office space in foreign countries; the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles which may be furnished to the Commission by other departments of the Government or acquired by purchase; the purchase of one motor-propelled passenger-carrying vehicle at a cost not exceeding $1,600; printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries in Europe; the purchase of maps, textbooks, newspapers, and periodicals, $138,673, together with $21,327 of the unexpended balances of the no-year appropriations for the said Commission carried

in any and all previous Acts, which unexpended sum is hereby made available for all the purposes of this appropriation: *Provided*, That notwithstanding the requirements of existing laws or regulations, and under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for work in Europe and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel: *Provided further*, That the Commission may purchase supplies and materials without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $500: *Provided further*, That when traveling on business of the Commission officers of the Army serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *And provided further*, That the Commission may delegate to its chairman, secretary, or officials in charge of either its Washington or Paris offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.

Provisos.
Technical, etc., work abroad.

Minor purchases.
R. S. § 3709.
41 U. S. C. § 5.

Traveling expenses.

Delegation of authority permitted.

BOARD OF TAX APPEALS

Board of Tax Appeals.

For every expenditure requisite for and incident to the work of the Board of Tax Appeals as authorized under title IX, section 900, of the Revenue Act of 1924, approved June 2, 1924, as amended by title X of the Revenue Act of 1926, approved February 26, 1926, and title IV of the Revenue Act of 1928, approved May 29, 1928, and title IX of the Revenue Act of 1932, approved June 6, 1932, including personal services and contract stenographic reporting services, rent outside the District of Columbia, traveling expenses, car fare, stationery, furniture, office equipment, purchase and exchange of typewriters, law books and books of reference, periodicals, and all other necessary supplies, $503,000, of which amount not to exceed $470,000 may be expended for personal services in the District of Columbia.

All expenses.
43 Stat. 336; 44 Stat. 105; 45 Stat. 871; 47 Stat. 286.
26 U. S. C. §§ 600-645.

For all printing and binding for the Board of Tax Appeals, $26,000.

Printing and binding.

Total, Board of Tax Appeals, $529,000.

CENTRAL STATISTICAL BOARD

Central Statistical Board.

For every expenditure requisite for and incident to the work of the Central Statistical Board as authorized by law, including personal services in the District of Columbia; traveling expenses; materials; supplies; office equipment; services; newspapers; periodicals and press clippings; printing and binding; repairs and alterations; contract stenographic reporting services and not to exceed $200 for expenses of attendance at meetings which in the discretion of the chairman are necessary for the efficient discharge of the responsibilities of the Board, $87,000.

All expenses.
49 Stat. 498.
5 U. S. C., Supp. II, §§ 141-149.

Printing and binding.

CIVIL SERVICE COMMISSION

Civil Service Commission.

For three Commissioners and other personal services in the District of Columbia, including personal services required for examination of Presidential postmasters, and including not to exceed $2,500 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available, and for personal services in the field; for medical examinations; for necessary traveling expenses, including those of examiners acting under the direction of the Commission, and for expenses of examina-

Commissioners, and office personnel.

Attendance at meetings, etc.

tions and investigations held elsewhere than at Washington, including not to exceed $1,000 for expenses incident to attendance at meetings concerned with problems of public officials, educational groups, Government employees as such, and other similar organizations, which are peculiar to the interests and business of the Commission, when specifically directed by the Commission; for furniture and other equipment and repairs thereto; rental of equipment; supplies; advertising; telegraph, telephone, and laundry service; freight and express charges; street-car fares not to exceed $300; stationery; purchase and exchange of law books, books of reference, directories, subscriptions to newspapers and periodicals, not to exceed $1,000; charts; purchase, exchange, maintenance, and repair of motor trucks, motorcycles, and bicycles; garage rent; postage stamps to prepay postage on matter addressed to Postal Union countries; special-delivery stamps; and other like miscellaneous necessary expenses not hereinbefore provided for, $2,350,000: *Provided*, That notwithstanding any provisions of law to the contrary, the Civil Service Commission is authorized to expend not to exceed $3,000 of this amount for actuarial services pertaining to the civil service, Canal Zone, and Alaska Railroad retirement and disability funds, to be obtained by contract, without obtaining competition, at such rates of compensation as the Commission may determine to be reasonable: *Provided further*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its district offices shall be made during the fiscal year ending June 30, 1938, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the district managers: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

Provisos.
Actuarial services.

Details from departments, etc., forbidden.

Emergency transfers, etc, permitted.

Printing and binding.

For all printing and binding for the Civil Service Commission, including all of its bureaus, offices, institutions, and services located in Washington and elsewhere, $85,000.

Civil-service retirement and disability fund.
Contribution.
41 Stat. 614.
38 U. S. C. § 11.

CIVIL-SERVICE RETIREMENT FUND

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (U. S. C., title 38, sec. 11), $72,392,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund."

Canal Zone retirement and disability fund.
Contribution.
46 Stat. 1471.
48 U. S. C. § 1371n.

CANAL ZONE RETIREMENT AND DISABILITY

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees of the Panama Canal and the Panama Railroad Company, on the Isthmus of Panama, who are citizens of the United States", approved March 2, 1931, and Acts amendatory thereof (U. S. C., title 48, sec. 1371n), $500,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund."

Alaska Railroad retirement and disability fund.
Contribution.
49 Stat. 2017.
5 U. S. C., Supp. II, §§ 745-745r.

ALASKA RAILROAD RETIREMENT AND DISABILITY

For financing of the liability of the United States created by the Act entitled "An Act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States", approved June 29, 1936 (49 Stat., p. 2017), $175,000, which amount

shall be placed to the credit of the "Alaska Railroad retirement and disability fund".

Total, Civil Service Commission, $75,502,000.

DISTRICT OF COLUMBIA ALLEY DWELLING AUTHORITY

District of Columbia Alley Dwelling Authority.
Funds for, continued available.
49 Stat 1601.
48 Stat. 932.

The unexpended balance of the "Conversion of inhabited alleys fund" of $500,000, established pursuant to the provisions of the District of Columbia Alley Dwelling Act, approved June 12, 1934, is hereby continued available for the purposes of said Act until June 30, 1938, together with all receipts derived from sales, leases, or other sources, prior to June 30, 1938, as authorized in section 3 (b) of said Act.

EMPLOYEES' COMPENSATION COMMISSION

Employees' Compensation Commission.
Salaries and expenses.

For three Commissioners and other personal services in the District of Columbia, including not to exceed $1,000 for temporary experts and assistants in the District of Columbia and elsewhere, to be paid at a rate not exceeding $8 per day, and for personal services in the field; for furniture and other equipment and repairs thereto; law books, books of reference, periodicals; stationery and supplies; traveling expenses; fees and mileage of witnesses; contract stenographic reporting services; rent at the seat of government and elsewhere; and miscellaneous items; $466,450.

Printing and binding.

For all printing and binding for the Employees' Compensation Commission, $8,000.

Employees' compensation fund.
39 Stat. 749.
5 U. S. C. § 785.

Employees' compensation fund: For the payment of compensation provided by "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (U. S. C., title 5, sec. 785), including medical examinations, traveling and other expenses, and loss of wages payable to employees under sections 21 and 22; all services, appliances, and supplies provided by section 9 as amended, including payments to Army and Navy hospitals; the transportation and burial expenses provided by sections 9 and 11; and advancement of costs for the enforcement of recoveries provided in sections 26 and 27 where necessary, accruing during the fiscal year 1938 or in prior fiscal years, $4,650,000.

Burial, etc., expenses.

EMPLOYEES' COMPENSATION FUND, CIVIL WORKS

Employees' compensation fund, civil works.
Administrative expenses, compensation payments, etc.
48 Stat. 351.

For administrative expenses and payment of compensation in connection with the administration of the benefits for employees of the Civil Works Administration in accordance with the provisions of the Act entitled "An Act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation of the Civil Works program, and for other purposes", approved February 15, 1934 (48 Stat., p. 352), and in connection with the administration of the benefits authorized by title V of the Act entitled "An Act to liberalize the provisions of Public Law Numbered 484, Seventy-third Congress, to effect uniform provisions in laws administered by the Veterans' Administration, to extend the Employees' Compensation Act with limitations to certain World War veterans and other persons, and for other purposes", approved June 29, 1936 (49 Stat., p. 2035), $233,800 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1938.

Provisions extended.
49 Stat. 2035.

Employees' compensation fund, Emergency Conservation Work.
Administrative expenses and compensation payments.
48 Stat. 1056.

EMPLOYEES' COMPENSATION FUND, EMERGENCY CONSERVATION WORK

For administrative expenses and payment of compensation in connection with the administration of the benefits for enrollees of the Civilian Conservation Corps in accordance with the provisions of the Act entitled "Emergency Appropriation Act, fiscal year 1935", approved June 19, 1934 (48 Stat., p. 1057), $635,000 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1938.

Employees' compensation fund, emergency relief.
Administrative expenses and compensation payments.
49 Stat. 115, 1608.

EMPLOYEES' COMPENSATION FUND, EMERGENCY RELIEF

For administrative expenses and the payment of compensation in connection with the administration of the benefits authorized by section 2 of the Act entitled "Emergency Relief Appropriation Act of 1935", approved April 8, 1935 (49 Stat. 115–119), and by the "Emergency Relief Appropriation Act of 1936", approved June 22, 1936 (49 Stat. 1608), $2,582,360 of the special funds set upon the books of the Treasury pursuant to the provisions of the said Acts shall be available for expenditure during the fiscal year 1938.

Total, Employees' Compensation Commission, $5,124,450.

Federal Communications Commission.

FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses.
48 Stat. 1064.
47 U. S. C. §§ 151–609
36 Stat. 629.
46 U. S. C. §§ 484–487.
45 Stat. 2760.
Post, p. 757.

For seven commissioners, and for all other authorized expenditures of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat., p. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (U. S. C., title 46, secs. 484–487), the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order Numbered 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President of the United States, July 7, 1936, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, law books, special counsel fees, supplies and equipment, including purchase and exchange of instruments, which may be purchased without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $25, improvement and care of grounds and repairs to buildings, not to exceed $5,000, traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities, and other necessary expenses, $1,604,000, of which amount not to exceed $1,050,000 may be expended for personal services in the District of Columbia.

Post, p. 1146.

Minor purchases.
R. S. § 3709.
41 U. S. C. § 5.

Maintenance, etc.

Printing and binding.

For all printing and binding for the Federal Communications Commission, $25,000.

Total, Federal Communications Commission, $1,629,000.

Federal Power Commission.

FEDERAL POWER COMMISSION

Expenses.

For every expenditure requisite for and incident to the work of the Federal Power Commission as authorized by law, including traveling expenses; expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; rent outside the District of Columbia; hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, including not more than one such vehicle for general administrative use in the District of

Vehicles.

Columbia; supplies and office equipment; services; scientific instruments; expenses incurred in packing, crating, drayage and transportation of household effects and other property (not to exceed in any case five thousand pounds) of officers and employees when transferred from one official station to another for permanent duty, when specifically authorized by the Commission; and not exceeding $5,000 for purchase and exchange of law books, other books of reference, newspapers, periodicals and newspaper clippings; $1,450,000, of which amount not to exceed $800,000 shall be available for personal services in the District of Columbia, exclusive of not to exceed $25,000 which may be expended for consultants and special counsel: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Transferring effects, etc.

Consultants, etc.

Proviso. Minor purchases. R. S. § 3709. 41 U. S. C. § 5.

For all printing and binding for the Federal Power Commission, including engraving, lithographing, and photolithographing, $75,000.

Printing and binding.

Total, Federal Power Commission, $1,525,000.

FEDERAL TRADE COMMISSION

Federal Trade Commission.

For five commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the Commission and other personal services, contract stenographic reporting services; supplies and equipment, law books, books of reference, periodicals, garage rentals, traveling expenses, including not to exceed $900 for expenses of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Federal Trade Commission, for newspapers and press clippings not to exceed $600, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal Trade Commission Act; $1,950,000: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Commissioners, and other expenses.

Attendance at meetings.

Witness fees, etc. 38 Stat. 722. 15 U. S. C. § 49.

Proviso. Minor purchases. 41 U. S. C. § 5.

For all printing and binding for the Federal Trade Commission, $31,000.

Printing and binding.

Total, Federal Trade Commission, $1,981,000.

FOREIGN SERVICE PAY ADJUSTMENT

Foreign Service Pay Adjustment.

Foreign service pay adjustment of officers and employees of the United States in foreign countries due to appreciation of foreign currencies: For the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, and for other purposes", approved March 26, 1934, and for each and every object and purpose specified therein, $1,745,342.

Losses due to foreign currency appreciation. 48 Stat. 466. 5 U. S. C. § 118c.

GENERAL ACCOUNTING OFFICE

General Accounting Office.

Salaries: For Comptroller General, Assistant Comptroller General, and other personal services in the District of Columbia and elsewhere, $4,954,600.

Comptroller General, Assistant, and office personnel.

Contingent expenses: For traveling expenses, materials, supplies, equipment, and services; rent of buildings and equipment; furnishing of heat and light; purchase and exchange of books, law books, books of reference, and periodicals, typewriters, calculating machines, and

Contingent expenses.

other office appliances, including their development, repairs, and maintenance, including one motor-propelled passenger-carrying vehicle; and miscellaneous items; $272,140: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the General Accounting Office when the aggregate amount involved does not exceed the sum of $50.

Proviso.
Minor purchases.
41 U. S. C. § 5.

Printing and binding

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, $79,800.

Total, General Accounting Office, $5,306,540.

INTERSTATE COMMERCE COMMISSION

Interstate Commerce Commission.

SALARIES AND EXPENSES

Salaries and expenses.

Commissioners, etc.

General administrative expenses: For eleven commissioners, secretary, and for all other authorized expenditures necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic at $10,000 each per annum, field hearings, traveling expenses, and contract stenographic reporting services; $2,544,000, of which amount not to exceed $2,350,000 may be expended for personal services in the District of Columbia, exclusive of special counsel, for which the expenditure shall not exceed $50,000; not exceeding $3,000 for purchase and exchange of necessary books, reports, and periodicals; not exceeding $100 in the open market for the purchase of office furniture similar in class or kind to that listed in the general supply schedule.

Services in the District.

Books, furniture, etc.

Enforcing accounting by railroads.
34 Stat. 593; 36 Stat. 555; 41 Stat. 493.
49 U. S. C. § 20.

Regulating accounts: To enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the Interstate Commerce Act as amended by the Act approved June 29, 1906 (U. S. C., title 49, sec. 20), and as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 20), including the employment of necessary special accounting agents or examiners, and traveling expenses, $852,000, of which amount not to exceed $190,000 may be expended for personal services in the District of Columbia.

Special examiners.

Safety of employees, etc

Reports and investigations of accidents.

Safety signals.

34 Stat 838
45 U. S. C. § 35.
Testing appliances.
35 Stat. 325.
45 U. S. C. §§ 36, 37.

Safety of employees: To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with Acts to promote the safety of employees and travelers upon railroads; the Act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906 (U. S. C., title 45, sec. 35), and the provision of the Sundry Civil Act approved May 27, 1908 (U. S. C., title 45, secs. 36, 37), to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, inspectors, and for traveling expenses, $506,000, of which amount not to exceed $90,000 may be expended for personal services in the District of Columbia.

Services in the District.

Signal safety systems.
41 Stat. 498.
49 U. S. C. § 26.
Automatic train-control devices.
Post, p. 835.

Signal safety systems: For all authorized expenditures under section 26 of the Interstate Commerce Act, as amended by the Transportation Act, 1920 (U. S. C., title 49, sec. 26), with respect to the provision thereof under which carriers by railroad subject to the Act may be required to install automatic train-stop or train-control devices which comply with specifications and requirements prescribed by the Commission, including investigations and tests pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906 (U. S. C., title 45, sec. 35), and including the employment of the necessary engineers,

34 Stat. 838.
45 U. S. C. § 35.

and for traveling expenses, $41,500, of which amount not to exceed $35,000 may be expended for personal services in the District of Columbia.

Services in the District.

Locomotive inspection: For all authorized expenditures under the provisions of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto" (U. S. C., title 45, sec. 22), as amended by the Act of March 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotives and tender" (U. S. C., title 45, sec. 30), and amendment of June 7, 1924 (U. S. C., title 45, sec. 27), providing for the appointment from time to time by the Interstate Commerce Commission of not more than fifteen inspectors in addition to the number authorized in the first paragraph of section 4 of the Act of 1911 (U. S. C., title 45, sec. 26), and the amendment of June 27, 1930 (U. S. C., title 45, secs. 24, 26), including such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his two assistants may require and for traveling expenses, $471,000, of which amount not to exceed $71,450 may be expended for personal services in the District of Columbia.

Locomotive inspection.
36 Stat. 913; 38 Stat. 1192; 40 Stat. 616, 43 Stat. 659; 46 Stat. 822.
45 U. S. C. §§ 22, 30

Additional inspectors.
36 Stat. 914; 43 Stat. 659; 46 Stat. 823.
45 U. S. C. §§ 27, 26, 24.

Services in the District.

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the Act entitled "An Act to amend an Act entitled 'An Act to regulate commerce', approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities", approved March 1, 1913, as amended by the Act of June 7, 1922 (U. S. C., title 49, sec. 19a), and by the "Emergency Railroad Transportation Act, 1933" (48 Stat., p. 221), including one director of valuation at $10,000 per annum, and traveling expenses, $700,000.

Valuation of property of carriers
37 Stat. 701, 40 Stat. 270; 42 Stat. 624.
49 U. S. C. § 19a.

Emergency Railroad Transportation Act, 1933.
48 Stat. 221.

Air mail: To enable the Interstate Commerce Commission to perform the duties imposed upon it by the Act approved June 12, 1934, entitled "An Act to revise air-mail laws, and to establish a Commission to make a report to the Congress recommending an aviation policy" (U. S. C., title 39, secs. 469–469q), as amended by the Act approved August 14, 1935, entitled "An Act to amend the air-mail laws and to authorize the extension of the Air Mail Service" (49 Stat. pp. 614–619), including field hearings, field audits, traveling expenses, contract stenographic reporting services; office supplies and equipment; purchase and exchange of books, reports, and periodicals; $200,000, of which amount not to exceed $160,000 may be expended for personal services in the District of Columbia, exclusive of special counsel or special aviation assistants for which the expenditure shall not exceed $20,000.

Air mail.
48 Stat. 933, 1243.
39 U. S. C. §§ 469–469q.

49 Stat. 614.
39 U. S. C., Supp. II, §§ 469a–469m.

Services in the District.

Motor transport regulation: For all authorized expenditures necessary to enable the Interstate Commerce Commission to carry out the provisions of the Motor Carrier Act, approved August 9, 1935 (49 Stat., pp. 543–567), including one director at $10,000 per annum and other personal services in the District of Columbia and elsewhere; traveling expenses; supplies; services and equipment; not to exceed $1,000 for purchase and exchange of books, reports, and periodicals; contract stenographic reporting services; purchase (not to exceed $6,500), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; $2,450,000; of which amount not exceeding $75,000 may be expended for rent in the District of Columbia if Government-

Motor transport regulation, expenses.

49 Stat. 543.
49 U. S. C., Supp. II, §§ 301–327.

Proviso. Use of Government transportation requests.

owned facilities are not available: *Provided*, That Joint Board members may use Government transportation requests when traveling in connection with their duties as Joint Board members.

Attendance at meetings.

Not to exceed $2,500 of the appropriations herein made for the Interstate Commerce Commission shall be available for expenses, except membership fees, for attendance at meetings concerned with the work of the Commission.

Proviso. Minor purchases. R. S. § 3709. 41 U. S. C. § 5.

In all, salaries and expenses, Interstate Commerce Commission, $7,764,500: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Printing and binding.

For all printing and binding for the Interstate Commerce Commission, including reports in all cases proposing general changes in transportation rates and not to exceed $10,000 to print and furnish to the States, at cost, report form blanks, and the receipts from such reports and blanks shall be credited to this appropriation, $175,000: *Provided*, That no part of this sum shall be expended for printing the Schedule of Sailings required by section 25 of the Interstate Commerce Act.

Proviso. Schedule of Sailings excluded. 41 Stat. 497. 49 U. S. C. § 25.

Total, Interstate Commerce Commission, $7,939,500.

National Advisory Committee for Aeronautics.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

All expenses, scientific research, etc.

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; contracts for personal services in the making of special investigations and in the preparation of special reports; traveling expenses of members and employees; including not to exceed $1,000 for expenses, except membership fees, of attendance upon meetings of technical and professional societies; office supplies and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory; purchase, maintenance, operation, and exchange of motor-propelled passenger-carrying vehicles, including not more than one for general administrative use in the District of Columbia; personal services in the field and the District of Columbia; in all, $1,259,850, of which amount not to exceed $2,000 may be expended for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (46 Stat. 818), but not to exceed $1,700 for any one person and not to exceed $115,000 for personal services in the District of Columbia.

Langley Laboratory.

Allowances.

46 Stat. 818. 5 U. S. C. § 118a.

Printing and binding.

For all printing and binding for the National Advisory Committee for Aeronautics, including all of its offices, laboratories, and services located in Washington, District of Columbia, and elsewhere, $21,000.

Total, National Advisory Committee for Aeronautics, $1,280,850.

National Archives.

NATIONAL ARCHIVES

Salaries and expenses. 48 Stat. 1122. 40 U. S. C. §§ 231–241. 49 Stat. 500. 44 U. S. C., Supp. II, §§ 301–314. 49 Stat. 1821. 40 U. S. C., Supp. II, § 238.

Salaries and expenses: For the Archivist and for all other authorized expenditures of the National Archives in carrying out the provisions of the Act of June 19, 1934 (48 Stat. 1122–1124; U. S. C., title 40, ch. 2A); the Act of July 26, 1935 (49 Stat. 500–503; U. S. C., Supp. I, title 44, ch. 8A); and the Act of June 22, 1936 (Public, Numbered 756, Seventy-fourth Congress), including personal services in the District of Columbia; supplies and equipment, including scientific, technical, first-aid, protective, and other apparatus and materials for the arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of photographic

Apparatus, materials, etc.

records (including motion-picture films) and sound recordings in the custody of the Archivist; purchase and exchange of books, including law books, books of reference, maps, and charts; contract stenographic reporting services; purchase of newspapers, periodicals, and press clippings; not to exceed $100 for payment in advance when authorized by the Archivist for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; travel expenses, including not to exceed $1,000 for the expenses of attendance at meetings concerned with the work of the National Archives; repairs to equipment; maintenance and operation of motor vehicles, including the purchase and exchange of one passenger-carrying automobile for official use; and all other necessary expenses, $700,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the National Archives when the aggregate cost involved does not exceed the sum of $50.

Membership fees.

Attendance at meetings.

Proviso. Minor purchases. R. S. § 3709. 41 U. S. C. § 5.

Printing and binding: For all printing and binding for the National Archives, $17,000.

Printing and binding.

Total, The National Archives, $717,000.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

National Capital Park and Planning Commission.

For each and every purpose requisite for and incident to the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of the Act entitled "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital", approved May 29, 1930; personal services, including real estate and other technical services, at rates of pay to be fixed by the Commission and not exceeding those usual for similar services and without reference to civil-service rules and the Classification Act of 1923, as amended; travel expenses; expenses of surveys and searching of titles, purchase of options, and all other costs incident to the acquisition of land, purchase, exchange, operation, and maintenance of passenger-carrying vehicles for official use, $893,700, to be expended in carrying out the provisions of section 4 of said Act, and to remain available until expended.

All expenses.

46 Stat. 482.

Personal services.

5 U. S. C. §§ 661–674.

Acquisition of land.

Vehicles.

NATIONAL LABOR RELATIONS BOARD

National Labor Relations Board.

Salaries and expenses: For three Board members, and for all other authorized and necessary expenditures of the National Labor Relations Board in performing the duties imposed by law or in pursuance of law, including rent and personal services in the District of Columbia and elsewhere; repairs and alterations; communications; contract stenographic reporting services, and not to exceed $300 for law books; books of reference; newspapers; periodicals; operation, maintenance, and repair of one automobile; $750,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50.

Salaries and expenses. 49 Stat. 451.

Proviso. Minor purchases.

R. S. § 3709. 41 U. S. C. § 5.

Printing and binding: For all printing and binding for the National Labor Relations Board in Washington and elsewhere, $35,000.

Printing and binding. *Post*, p. 758.

Total, National Labor Relations Board, $785,000.

National Mediation Board.

NATIONAL MEDIATION BOARD

Salaries and expenses. 48 Stat. 1193. 45 U. S. C. § 154.

For three members of the Board, and for other authorized expenditures of the National Mediation Board in performing the duties imposed by law, including contract stenographic reporting services; supplies and equipment; not to exceed $200 for newspapers, books of reference and periodicals, $140,700, of which amount not to exceed $107,060 may be expended for personal services in the District of Columbia.

Arbitration boards.

Arbitration boards: To enable the National Mediation Board to pay necessary expenses of arbitration boards, including compensation of members and employees of such boards, together with their necessary traveling expenses and expenses actually incurred for subsistence while so employed, and printing of awards, together with proceedings and testimony relating thereto, as authorized by the Railway Labor Act, including also contract stenographic reporting service, and rent of quarters when suitable quarters cannot be supplied in any Federal building, the unexpended balance of previous appropriations for this purpose shall be available.

Emergency boards.

Emergency boards: For expenses of emergency boards appointed by the President to investigate and report respecting disputes between carriers and their employees, as authorized by section 10, Railway Labor Act, approved May 20, 1926 (U. S. C., title 45, sec. 160), the unexpended balance of previous appropriations for this purpose shall be available.

44 Stat. 586. 45 U. S. C. § 160.

Printing and binding.

For all printing and binding for the National Mediation Board, $2,500.

National Railroad Adjustment Board.

NATIONAL RAILROAD ADJUSTMENT BOARD

Expenses. 48 Stat. 1189.

For authorized expenditures of the National Railroad Adjustment Board, in performing the duties imposed by law, including contract stenographic reporting services and supplies and equipment, $207,565, of which $47,900 shall be available only for services of referees and not more than $105,460 may be expended for other personal services.

Printing and binding.

For all printing and binding for the National Railroad Adjustment Board, $35,000.

Total, National Railroad Adjustment Board, $242,565.

Total, National Mediation Board, $385,765.

Oil lands in former naval reserves.

PROTECTION OF INTERESTS OF THE UNITED STATES IN MATTERS AFFECTING OIL LANDS IN FORMER NAVAL RESERVES

Expenses, protection of interests in matters affecting.

Protection of interests of the United States in matters affecting oil lands in former naval reserves: For compensation and expenses of special counsel and for all other expense, including employment of experts and other assistants at such rates as may be authorized or approved by the President, in connection with carrying into effect the joint resolution entitled "Joint resolution directing the Secretary of the Interior to institute proceedings touching sections 16 and 36, township 30 south, range 23 east, Mount Diablo meridian", approved February 21, 1924, $34,000, to be expended by the President: *Provided*, That no part of this sum shall be used to compensate any person at a rate in excess of $10,000 per annum.

43 Stat. 15.

Proviso. Compensation restriction.

Railroad Retirement Board.

RAILROAD RETIREMENT BOARD

Salaries and expenses.

For salaries and expenses, Railroad Retirement Board: For three Board members and for all other authorized and necessary expenditures of the Railroad Retirement Board in performing the duties

imposed by law or in pursuance of law, including rent; personal and other services in the District of Columbia and elsewhere; traveling expenses, including not to exceed $1,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the Board; not to exceed $2,500 for payment of actual transportation expenses, and per diem (not to exceed $10) in lieu of subsistence and other expenses, of persons serving while away from their homes without other compensation in an advisory capacity to the Railroad Retirement Board; repairs and alterations; contract stenographic reporting services; office appliances and labor-saving devices; supplies and equipment (including photographic equipment); not to exceed $2,000 for law books, books of reference, newspapers, press clippings, periodicals, and for payment in advance when authorized by the Board for library membership in organizations which issue publications to members only or to members at a price lower than to the general public; operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the District of Columbia and elsewhere; and other necessary expenses; $2,300,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount does not exceed $50.

Attendance at meetings.

Details of officers in an advisory capacity.

Supplies, etc.

Membership, etc., fees.

Proviso.
Minor purchases.
R. S. § 3709.
41 U. S. C. § 5.

For the payment of annuities to employees, representatives, widows, widowers, or dependent next of kin of employees, as provided in sections 3, 4, and 5 of the Railroad Retirement Act of 1935 (Act August 29, 1935, 49 Stats., pp. 969–970), the unexpended balance of the appropriation for this purpose for the fiscal year 1937 is continued available for the same purpose for the fiscal year 1938.

Annuities.

49 Stat. 969.
45 U. S. C., Supp. II, §§ 217–219.
Balance continued available.

For printing and binding for the Railroad Retirement Board, $25,000.

Printing and binding.

Total, Railroad Retirement Board, $2,325,000.

RURAL ELECTRIFICATION ADMINISTRATION

Rural Electrification Administration.

Salaries and expenses: For administrative expenses and expenses of studies, investigations, publications, and reports necessary to carry out the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, including the salary of the Administrator and other personal services in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance of officers and employees at meetings when determined by the Administrator to be necessary in furthering the work of the Administration; contract stenographic reporting services; expert witness fees; materials, supplies, equipment, and services; rentals, including buildings and parts of buildings and garages, in the District of Columbia and elsewhere; purchase and exchange of books, law books, books of reference, directories, and periodicals; not to exceed $200 for newspapers and press clippings; financial and credit reports; purchase, rental, exchange, operation, maintenance, and repair of typewriters, calculating machines, and other office appliances; and all other expenses necessary to administer said Act, $1,450,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Rural Electrification Administration when the aggregate amount involved does not exceed $100.

Salaries and expenses.

Proviso.
Minor purchases, etc.
41 U. S. C. § 5.

Printing and binding: For printing and binding for the Rural Electrification Administration, $70,000.

Printing and binding.

Loans and purchase of property.
49 Stat. 1364.
7 U. S. C., Supp. II, §§ 903-905.

Loans, Rural Electrification Administration: For loans in accordance with sections 3, 4, and 5, and the purchase of property in accordance with section 7, of the Rural Electrification Act of May 20, 1936 (49 Stat., p. 1363), $30,000,000.

Total, Rural Electrification Administration, $31,520,000.

Securities and Exchange Commission.

SECURITIES AND EXCHANGE COMMISSION

Commissioners, and other expenses.

For five Commissioners, and other personal services in the District of Columbia, and for all other authorized expenditures of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law, including employment of experts when necessary; contract stenographic reporting services; supplies and equipment; purchase and exchange of law books, books of reference, directories, periodicals, newspapers and press clippings; travel expenses, including the expense of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Securities and Exchange Commission; garage rental; foreign postage; mileage and witness fees; rent of quarters outside the District of Columbia; rental of equipment; and other necessary expenses; $3,850,000: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase or service rendered for the Securities and Exchange Commission when the aggregate cost involved does not exceed the sum of $50.

Proviso.
Minor purchases, etc.
R. S. § 3709
41 U. S. C. § 5.

Printing and binding.

For all printing and binding for the Securities and Exchange Commission, $45,000.

Total, Securities and Exchange Commission, $3,895,000.

Smithsonian Institution.

SMITHSONIAN INSTITUTION

Administrative expenses, etc.

For expenses of the general administrative office, Smithsonian Institution, compensation of necessary employees, traveling expenses, purchase of books and periodicals, supplies and equipment, and any other necessary expenses, $36,330.

International exchanges.

International exchanges: For the system of international exchanges between the United States and foreign countries, under the direction of the Smithsonian Institution, including necessary employees, and purchase of necessary books and periodicals, and traveling expenses, $44,260.

American ethnology.

American ethnology: For continuing ethnological researches among the American Indians and the natives of Hawaii, the excavation and preservation of archeologic remains under the direction of the Smithsonian Institution, including necessary employees, the preparation of manuscripts, drawings, and illustrations, the purchase of books and periodicals, and traveling expenses, $58,730.

Astrophysical Observatory.

Astrophysical Observatory: For maintenance of the Astrophysical Observatory, under the direction of the Smithsonian Institution, including assistants, purchase of books, periodicals, and apparatus, making necessary observations in high altitudes, repairs and alterations of buildings, preparation of manuscripts, drawings, and illustrations, traveling expenses, and miscellaneous expenses, $30,850.

National Museum.

NATIONAL MUSEUM

Equipment, etc.

For cases, furniture, fixtures, and appliances required for the exhibition and safe-keeping of collections; heating, lighting, electrical, telegraphic, and telephonic service, repairs and alterations of buildings, shops, and sheds, including approaches and all necessary material; personal services, and traveling and other necessary inci-

dental expenses, $144,840, of which $10,450 shall be available only for installation of a water main and water line and the purchase of fire hose.

Preservation of collections: For continuing preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government, and from other sources, including personal services, traveling expenses, purchasing and supplying uniforms to guards and elevator conductors, postage stamps and foreign postal cards and all other necessary expenses, and not exceeding $5,500 for preparation of manuscripts, drawings, and illustrations for publications, and not exceeding $3,000 for purchase of books, pamphlets, and periodicals, $609,380. Preservation of collections.

NATIONAL GALLERY OF ART

National Gallery of Art.

For the administration of the National Gallery of Art by the Smithsonian Institution, including compensation of necessary employees, purchase of books of reference and periodicals, traveling expenses, uniforms for guards, and necessary incidental expenses, $34,275. Administrative expenses.

PRINTING AND BINDING

For all printing and binding for the Smithsonian Institution, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $65,000, of which not to exceed $8,000 shall be available for printing the report of the American Historical Association. Printing and binding. American Historical Association report.

Total, Smithsonian Institution, $1,023,665, of which amount not to exceed $846,000 may be expended for personal services in the District of Columbia.

SOCIAL SECURITY BOARD

Social Security Board.

Salaries and expenses: For all authorized and necessary administrative expenses of the Social Security Board in performing the duties imposed upon it in titles I, II, III, IV, VII, IX, and X of the Social Security Act, approved August 14, 1935, including three Board members, an executive director at a salary of $9,000 a year, a director of the old-age benefits division at a salary of $9,000 a year, and other personal services in the District of Columbia and elsewhere; travel expenses, including not to exceed $10,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the chairman; not to exceed $10,000 for payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of persons serving while away from their home, without other compensation, in an advisory capacity to the Social Security Board; supplies; reproducing, photographing, and all other equipment, office appliances, and labor-saving devices; services; advertising, postage, telephone, telegraph, and not to exceed $900 for teletype news services and tolls; newspapers and press clippings (not to exceed $1,500), periodicals, manuscripts and special reports, purchase and exchange of law books and other books of reference; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; alterations and repairs; rentals, including garages, in the District of Columbia or elsewhere; purchase and exchange, not to exceed $35,000, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the District of Columbia and in the field; and miscellaneous items, including those for public instruction and information deemed necessary by the Board, Salaries and expenses. 49 Stat. 620–629, 635, 639, 645. 42 U. S. C., Supp. II, § 301—. *Post*, p. 759. Travel expenses. Details for advisory purposes. Supplies. Vehicles.

Balance reappropriated.

$9,500,000, together with any unexpended balance of the appropriation for the same purpose contained in the First Deficiency Appropriation Act, fiscal year 1936: *Provided*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not be construed to apply to any purchase by the Board when the aggregate amount involved does not exceed the sum of $100: *Provided further*, That the Board may expend not to exceed $40,000 of the sum herein appropriated for employing persons or organizations, by contract or otherwise, for special accounting, actuarial, statistical, and reporting, engineering, and organizational services determined necessary by the Board, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), and the provisions of other laws applicable to the employment and compensation of officers and employees of the United States: *Provided further*, That no salary shall be paid for personal services from the money herein appropriated under the heading "Social Security Board" in excess of the rates allowed by the Classification Act of 1923, as amended, for similar services: *Provided further*, That this proviso shall not apply to the salaries of the Board members: *Provided further*, That none of the funds herein appropriated under the heading "Social Security Board" shall be used to pay the salary of any expert or attorney receiving compensation of $5,000 or more per annum unless and until such expert or attorney shall be appointed by the President, by and with the advice and consent of the Senate.

Provisos.
Minor purchases, etc.
R. S. § 3709.
41 U. S. C. § 5
Special accounting, etc., services.

R. S. § 3709.
41 U. S. C. § 5.

Salary restriction.
5 U. S. C. §§ 661–674.

Board members excepted.
Experts and attorneys, appointment restriction.

Printing and binding.

For printing and binding for the Social Security Board, $1,000,000.

Grants to States.
Old-age assistance.
49 Stat. 620.

Grants to States for old-age assistance: For grants to States for assistance to aged needy individuals, as authorized in title I of the Social Security Act, approved August 14, 1935, $132,000,000, of which sum such amount as may be necessary shall be available for grants under such title I for any period in the fiscal year 1937 subsequent to March 31, 1937: *Provided*, That payments to States for the fourth quarter of the fiscal year 1937 and for any quarter in the fiscal year 1938 under such title I may be made with respect to any State plan approved under such title I by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Proviso.
Payments restricted.

Unemployment compensation administration.
49 Stat. 626.

Balance available.
49 Stat. 1605.

Grants to States for unemployment compensation administration: For grants to States for unemployment compensation administration, as authorized in title III of the Social Security Act, approved August 14, 1935, $19,000,000, together with any unexpended balance of the appropriation for the same purpose contained in the First Deficiency Appropriation Act, fiscal year 1936, of which sum such amount as may be necessary shall be available for grants under such title III for any period in the fiscal year 1937 from and after January 1, 1937.

Aid to dependent children.
49 Stat. 627.

Availability.

Grants to States for aid to dependent children: For grants to States for the purpose of enabling each State to furnish financial assistance to needy dependent children, as authorized in title IV of the Social Security Act, approved August 14, 1935, $54,600,000, of which sum such amount as may be necessary shall be available for grants under such title IV for any period in the fiscal year 1937 subsequent to March 31, 1937: *Provided*, That payments to States for the fourth quarter of the fiscal year 1937 and for any quarter in the fiscal year 1938 under such title IV may be made with respect to any State plan approved under such title IV by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Proviso.
Payments restricted.

Grants to States for aid to the blind: For grants to States for the purpose of enabling each State to furnish financial assistance to needy individuals who are blind, as authorized in title X of the Social Security Act, approved August 14, 1935, $10,000,000, of which sum such amount as may be necessary shall be available for grants under such title X for any period in the fiscal year 1937 subsequent to March 31, 1937: *Provided*, That payments to States for the fourth quarter of the fiscal year 1937 and for any quarter in the fiscal year 1938 under such title X may be made with respect to any State plan approved under such title X by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Aid to the blind. 49 Stat. 645.

Availability.

Proviso. Payments restricted.

The appropriations herein made for "Grants to States for old-age assistance", "Grants to States for aid to dependent children", and "Grants to States for aid to the blind", shall be available interchangeably for transfer of appropriations but no such transfer shall be made except upon approval of the Director of the Bureau of the Budget.

Designated funds interchangeable.

Total, Social Security Board, $226,100,000.

TARIFF COMMISSION

Tariff Commission.

For salaries and expenses of the Tariff Commission, including personal services in the District of Columbia and elsewhere, purchase and exchange of labor-saving devices, the purchase of professional and scientific books, law books, books of reference, gloves and other protective equipment for photostat and other machine operators, rent in the District of Columbia and elsewhere, subscriptions to newspapers and periodicals, and contract stenographic reporting services, as authorized by sections 330 to 341 of the Tariff Act of 1930, approved June 17, 1930 (U. S. C., title 19, secs. 1330–1341), $925,000, of which amount not to exceed $2,500 may be expended for expenses, except membership fees, of attendance at meetings concerned with subjects under investigation by the Commission; and not to exceed $7,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), but not to exceed $1,700 for any one person: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50: *Provided further*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

Salaries and expenses.

Reporting services. 46 Stat. 696. 19 U. S. C. §§ 1330–1341.

Attendance at meetings.

Living quarters. 46 Stat. 818. 5 U. S. C. § 118a.

Provisos. Minor purchases, etc. R. S. § 3709. 41 U. S. C. § 5.

Salary restriction. 46 Stat. 701. 19 U. S. C. §§ 1336–1338.

For all printing and binding for the Tariff Commission, $20,000.

Printing and binding.

Total, Tariff Commission, $945,000.

VETERANS' ADMINISTRATION

Veterans' Administration.

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (U. S. C., title 38, secs.

Administration, medical, hospital, and domiciliary services. Salaries and expenses.

46 Stat. 1016. 38 U. S. C. §§ 11–11f.

11–11f), and any and all laws for which the Veterans' Administration is now or may hereafter be charged with administering, $94,000,000: *Provided*, That not to exceed $3,500 of this amount shall be available for expenses, except membership fees, of employees, detailed by the Administrator of Veterans' Affairs to attend meetings of associations for the promotion of medical science and annual national conventions of organized war veterans: *Provided further*, That this appropriation shall be available also for personal services and rentals in the District of Columbia and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; for expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not exceeding in any one case five thousand pounds, of employees when transferred from one official station to another for permanent duty and when specifically authorized by the Administrator; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; purchase and exchange of law books, books of reference, periodicals, and newspapers; for passenger-carrying and other motor vehicles, including purchase, maintenance, repair, and operation of same, including not more than two passenger automobiles for general administrative use of the central office in the District of Columbia; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to utilize Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend not to exceed $2,000 of this appropriation for actuarial services pertaining to the Government life-insurance fund, to be obtained by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for allotment and transfer to the Public Health Service, the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment; for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans' Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration accruing during the year for which this appropriation is made or prior fiscal years: *Provided further*, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans' Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans' Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes: *Provided further*, That this appropriation shall be available for continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the Act approved August 27, 1888 (U. S. C., title 24, sec. 134), as amended, for those veterans eligible for admission to Veterans' Administration facilities for domiciliary care.

Provisos.
Attendance at meetings, etc.

Services, rentals, traveling expenses, etc.

Wearing apparel.

Vehicles.

Transporting employees' children to schools.

Actuarial services.

Transfer of applicable funds.

Recreational facilities, etc.

Burial, etc., expenses.

Purchase of tobacco.

Aid to State, etc., homes.

25 Stat. 450.
24 U. S. C. § 134.

No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than $4,000,000 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

Restriction on new construction, etc.

Improving facilities.

For printing and binding for the Veterans' Administration, including all its bureaus and functions located in Washington, District of Columbia, and elsewhere, $125,000.

Printing and binding.

Pensions: For the payment of compensation, pensions, gratuities, and allowances, now authorized under any Act of Congress, or regulation of the President based thereon, or which may hereafter be authorized, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, accruing during the fiscal year 1938 or in prior fiscal years, $400,955,000, to be immediately available.

Pensions.

For military and naval insurance accruing during the fiscal year for which this appropriation is made or in prior fiscal years, $88,752,000.

Military and naval insurance.

Adjusted service and dependent pay: For payment of adjusted-service credits of not more than $50 each and the quarterly installments due to dependents of deceased veterans, as provided in the Act of May 19, 1924, as amended (U. S. C., title 38, secs. 631–632, 661–670; U. S. C., Supp. I, secs. 662–664), $2,000,000, to be immediately available and to remain available until expended.

Adjusted service and dependent pay.

43 Stat. 125.
38 U. S. C. §§ 631–632, 661–670; Supp. II, §§ 662, 664.

Total, Veterans' Administration, $585,832,000: *Provided*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes.

Proviso.
Butter substitutes.

EMERGENCY AGENCIES

Emergency Agencies.

COMMODITY CREDIT CORPORATION

Commodity Credit Corporation.

Not to exceed $525,000 of the funds of the Commodity Credit Corporation, established as an agency of the Government by Executive Order Numbered 6340, dated October 16, 1933, continued to April 1, 1937, as a governmental agency under section 7 of the Act approved January 31, 1935 (Public, Numbered 1, Seventy-fourth Congress), and further continued to June 30, 1939, by the Act of January 26, 1937 (Public, Numbered 2, Seventy-fifth Congress), shall be available during the fiscal year 1938 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books and books of reference; not to exceed $150 for periodicals, maps, and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which

Funds available for administrative expenses.

49 Stat. 4.

Ante, p. 5.

44 Stat. 688.
5 U. S. C. §§ 821–833.

Proviso.
Designated services, etc., deemed nonadministrative.

it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

Electric Home and Farm Authority.

ELECTRIC HOME AND FARM AUTHORITY

Funds available for administrative expenses.

Not to exceed $300,000 of the funds of the Electric Home and Farm Authority, established as an agency of the Government by Executive Order Numbered 7139 of August 12, 1935, continued to February 1, 1937, by the Act of March 31, 1936 (Public, Numbered 484, Seventy-fourth Congress), and continued further until June 30, 1939, by the Act of January 26, 1937 (Public, Numbered 2, Seventy-fifth Congress), shall be available during the fiscal year 1938 for administrative expenses of the Authority, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books and books of reference; not to exceed $200 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other administrative expenses: *Provided*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, care, repair, and disposition of any security or collateral now or hereafter held or acquired by the Authority, shall be considered as nonadministrative expenses for the purposes hereof.

Post, p. 757.

49 Stat. 1186.

Ante, p. 5

44 Stat. 688.
5 U. S. C. §§ 821–833.

Proviso.
Designated services, etc., considered nonadministrative.

Export-Import Bank of Washington.

EXPORT-IMPORT BANK OF WASHINGTON

Funds available for administrative expenses.

Not to exceed $50,000 of the funds of the Export-Import Bank of Washington, established as an agency of the Government by Executive Order Numbered 6581 of February 2, 1934, continued until June 16, 1937, by the Act approved January 31, 1935 (Public, Numbered 1, Seventy-fourth Congress), and further continued until June 30, 1939, under the Act approved January 26, 1937 (Public, Numbered 2, Seventy-fifth Congress), shall be available during the fiscal year 1938 for administrative expenses of the bank, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books and books of reference; not to exceed $250 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the bank or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

49 Stat. 4.

Ante, p. 5.

44 Stat. 688.
5 U. S. C. §§ 821–833.

Proviso.
Designated services, etc., considered nonadministrative.

Federal Home Loan Bank Board.

FEDERAL HOME LOAN BANK BOARD

Administrative expenses.

For the administrative expenses of the Federal Home Loan Bank Board, established by the Federal Home Loan Bank Act of July 22, 1932 (47 Stat., p. 725), including personal services in the District

47 Stat. 725.

of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books, books of reference, and not to exceed $500 for periodicals and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent outside of the District of Columbia; payment, when specifically authorized by the Board, of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Board; use of the services and facilities of the Home Owners' Loan Corporation and the Federal Savings and Loan Insurance Corporation; and all other necessary administrative expenses, $1,140,000, payable from assessments upon the Federal home loan banks and receipts of the Federal Home Loan Bank Board from other sources for the fiscal year 1938 and prior fiscal years: *Provided*, That all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under said Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That, except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Board shall be incurred, allowed, and paid in accordance with the provisions of said Act of July 22, 1932, as amended (U. S. C., title 12, secs. 1421–1449).

44 Stat. 688.
5 U. S. C. §§ 821–833.

Supplies, etc.

Use of other services and facilities.

Provisos.
Designated services, etc., considered nonadministrative.

Payment of administrative, etc., expenses.

47 Stat. 725.
12 U. S. C. §§ 1421–1449.

HOME OWNERS' LOAN CORPORATION

Home Owners' Loan Corporation.

Not to exceed $30,000,000 of the funds of the Home Owners' Loan Corporation, established by the Home Owners' Loan Act of 1933 (48 Stat., p. 128), shall be available during the fiscal year 1938 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books, books of reference, and not to exceed $500 for periodicals and newspapers; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; use of the services and facilities of the Federal Home Loan Bank Board, Federal home-loan banks, and Federal Reserve banks; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a force account, contract or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to the Corporation or in which it has an interest, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Home Owners' Loan Act of 1933, as amended (U. S. C., title 12, secs. 1461–1468).

Salaries and expenses.
48 Stat. 128.

44 Stat. 688
5 U. S. C. §§ 821–833.
Printing and binding.
Supplies.

Use of designated services.

Provisos.
Designated services, etc., deemed nonadministrative.

Allowances for expenses.

12 U. S. C. §§ 1461–1468.

Federal Housing Administration.

FEDERAL HOUSING ADMINISTRATION

Administrative expenses
Post, p. 758.

Not to exceed $10,000,000 of the funds advanced by the Reconstruction Finance Corporation to the Federal Housing Administration, created under authority of the National Housing Act of June 27, 1934 (48 Stat., p. 1246), shall be available during the fiscal year 1938 for administrative expenses of the Administration, including: Personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833), except employees engaged in the inspection of property may be paid an allowance not to exceed 4 cents per mile for all travel performed by motor vehicle in connection with such inspection; printing and binding; law books, books of reference, and not to exceed $1,500 for periodicals and newspapers; not to exceed $1,500 for contract actuarial services; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; payment, when specifically authorized by the Administrator, of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses to persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Administration; not to exceed $2,000 for expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority of title II of said National Housing Act, shall be considered as nonadministrative expenses for the purposes hereof, and shall be paid from the mutual mortgage insurance fund created by said Act: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (U. S. C., title 12, secs. 1701–1723): *Provided further*, That not exceeding $300,000 of the sum herein authorized to be advanced from the Reconstruction Finance Corporation shall be expended in the District of Columbia during the fiscal year 1938 for purposes of the Public Relations and Education Division.

48 Stat. 1246.

44 Stat. 688.
5 U. S. C. §§ 821–833.

Supplies, etc.

Attendance at meetings.

Provisos.
Designated services, etc., considered nonadministrative.

Payment of administrative, etc., expenses.

48 Stat. 1246.
12 U. S. C. §§ 1701–1723.

Amount for Public Relations and Education Division.

Reconstruction Finance Corporation.

RECONSTRUCTION FINANCE CORPORATION

Administrative expenses.
47 Stat. 5.
15 U. S. C. §§ 601–617.

Not to exceed $9,500,000 of the funds of the Reconstruction Finance Corporation, established by the Act of January 22, 1932 (47 Stat., p. 5), shall be available during the fiscal year 1938 for administrative expenses of the Corporation, and of the RFC Mortgage Company, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books, books of reference, and not to exceed $500 for periodicals and newspapers; procurement of supplies, equipment,

44 Stat. 688.
5 U. S. C. §§ 821–833.
Printing and binding.

and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; use of the services and facilities of the Federal Reserve banks; and all other necessary administrative expenses: *Provided*, That all necessary expenses in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or the RFC Mortgage Company or in which they have an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Act of January 22, 1932, as amended (U. S. C., title 15, secs. 601–617).

Provisos.
Designated expenses considered nonadministrative.

Payment of administrative, etc., expenses.

47 Stat. 5.
15 U. S. C. §§ 601–617.

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

Federal Emergency Administration of Public Works.

Not to exceed $10,000,000 of the amount of $300,000,000 made available, upon the direction of the President, to the Federal Emergency Administration of Public Works by Emergency Relief Appropriation Act of 1936 shall be available during the fiscal year 1938 for administrative expenses in connection with the liquidation of said Administration, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books, books of reference, and not to exceed $500 for periodicals, newspapers, and press clippings; procurement of supplies, equipment, and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; not to exceed $1,000 for expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of Title II of the National Industrial Recovery Act.

Administrative expenses.
Post, p. 358.

44 Stat. 688.
5 U. S. C. §§ 821–833.

Labor-saving devices.

Proviso.
Payment of administrative, etc., expenses.
48 Stat. 200.

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Federal Savings and Loan Insurance Corporation.

Not to exceed $256,180 of the funds of the Federal Savings and Loan Insurance Corporation, established by title IV of the National Housing Act of June 27, 1934 (48 Stat., p. 1246), shall be available during the fiscal year 1938, for administrative expenses of the Corporation, including personal services, in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books, books of reference, and not to exceed $250 for periodicals and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including

Administrative expenses.
48 Stat. 1246.

Travel expenses.
44 Stat. 688.
5 U. S. C. §§ 821–833.

Printing and binding.

Use of services, etc., of designated agencies.

their repair and exchange; use of the services and facilities of the Federal Home Loan Bank Board, Federal home loan banks, Federal Reserve banks, and agencies of the Government as authorized by said title IV; and all other necessary administrative expenses: *Provided*, That all necessary expenses in connection with the liquidation of insured institutions under said title IV shall be considered as non-administrative expenses for the purposes hereof: *Provided further*, That, except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (U. S. C., title 12, secs. 1725–1732).

Provisos.
Designated expenses deemed non-administrative.

Payment of administrative, etc., expenses.

48 Stat. 1256.
12 U. S. C. §§ 1725-1732.

SEC. 2. In expending appropriations or portions of appropriations contained in this Act, for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade except that in unusually meritorious cases of one position in a grade, advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Salaries limited to average rates under Classification Act.
5 U. S. C. §§661-674.

Proviso.
Restriction not applicable to clerical-mechanical service.
No reduction in fixed salary.
5 U. S. C. § 666.
Transfers without reduction.

Higher rates permitted.

If only one position in a grade.

SEC. 3. During the fiscal year ending June 30, 1938, the salaries of the Commissioners of the Interstate Commerce Commission and the Commissioners of the United States Tariff Commission shall be at the rate of $10,000 each per annum.

Interstate Commerce Commission and Tariff Commission; salary rates of Commissioners.

SEC. 4. This Act may be cited as the "Independent Offices Appropriation Act, 1938".

Short title.

Approved, June 28, 1937.

[CHAPTER 401]

June 29, 1937
[H. J. Res. 361]
[Pub. Res., No. 47]

JOINT RESOLUTION

Making appropriations for relief purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Emergency Relief Appropriation Act of 1937.

TITLE I

Continuation of relief and work relief, appropriation for.

That in order to continue to provide relief, and work relief on useful public projects, in the United States and its Territories and possessions (including projects heretofore approved for the Works Progress Administration which projects shall not be subject to the limitations hereinafter specified in this section), there is hereby

appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until June 30, 1938, and to be used in the discretion and under the direction of the President, $1,500,000,000 together with such unexpended balances, as the President may determine, of appropriations made by (a) the second paragraph of the Emergency Relief Appropriation Act of 1936, as supplemented by the First Deficiency Appropriation Act, fiscal year 1937, and (b) section 1 of the Emergency Relief Appropriation Act of 1935, including the unexpended balances of appropriations referred to therein: *Provided*, That this appropriation shall be available for the following classes of public projects, Federal and non-Federal, and the amounts to be used for each class shall not, except as hereinafter provided, exceed the respective amounts stated, namely: (a) Highways, roads, and streets, $415,000,000; (b) public buildings, parks and other recreational facilities, including buildings therein, public utilities, electric transmission and distribution lines or systems to serve persons in rural areas including projects sponsored by and for the benefit of nonprofit and cooperative associations, sewer systems, water supply and purification, airports and other transportation facilities, flood control, conservation, eradication of insect pests, and miscellaneous work projects, $630,000,000; (c) assistance for educational, professional, and self-help, and clerical persons and women's projects, $380,000,000; and (d) National Youth Administration, $75,000,000: *Provided further*, That no portion of the funds hereby appropriated shall be allocated or used for any purpose except to provide relief or work relief for persons in need: *Provided further*, That not to exceed 5 per centum of the amount allotted or used by any department or agency may be expended for administration of such relief or work relief; except that this provision shall not apply to allocations made to the General Accounting Office, the Department of Justice, the Treasury Department, the Employees' Compensation Commission, the United States Employment Service of the Department of Labor, the Bureau of Air Commerce of the Department of Commerce, the National Emergency Council, the Resettlement Administration or to the Prison Industries Reorganization Administration, for administrative expenses in performing functions for or on behalf of the relief or work-relief program: *Provided further*, That the amount specified for any of the foregoing classes may be increased proportionately in accordance with the amount of such unexpended balances as the President transfers for the purposes of this section from the appropriations made by (a) the Emergency Relief Appropriation Act of 1935 and (b) the Emergency Relief Appropriation Act of 1936, as supplemented: *Provided further*, That the amount specified for any of the foregoing classes may be increased by not to exceed 15 per centum thereof by transfer of an amount or amounts from any other class or classes in order to effectuate the purposes of the foregoing appropriation: *Provided*, That no Federal construction project shall be undertaken or prosecuted under this appropriation unless and until there shall have been allocated and irrevocably set aside Federal funds sufficient for its completion; and no non-Federal project shall be undertaken or prosecuted under this appropriation unless and until the sponsor has made a written agreement to finance such part of the entire cost thereof as is not to be supplied from Federal funds. This appropriation shall be available for expenditure by the Resettlement Administration for such loans, relief, and rural rehabilitation for needy persons as the President may determine, including such cost of administration as the President may direct: *Provided*, That no person employed on work projects and certified as in need

Balances reappropriated.
49 Stat. 1608.
Ante, p. 10.
49 Stat. 115.

Provisos.
Classes of projects; amounts.

Use restricted.

Amount for administration

Exceptions.

Proportionate increases permitted; use of balances.

49 Stat. 115, 1608.

Interchange of funds.

Work forbidden unless sum for completion allocated.

Non-Federal projects.

Expenditure for loans, relief, etc.

Refusal of private employment offer.

of relief who refuses a bona-fide offer of private employment under reasonable working conditions which pays as much or more in compensation for the same length of service as such person receives or could receive under this appropriation and who is capable of performing such work, shall be retained in employment under this appropriation for the period such private employment would be available: *Provided further*, That any person who takes such private employment shall at the expiration thereof be entitled to immediate resumption of his previous employment status under this appropriation if he is still in need of relief and if he has lost the private employment through no fault of his own.

Expiration of private employment.

Apportionment and distribution to cover total amount for year.

The funds herein appropriated shall be so apportioned and distributed over the twelve months of the fiscal year ending June 30, 1938, and shall be so administered during such fiscal year, as to constitute the total amount that will be furnished during such fiscal year for relief purposes.

Rules and regulations.

SEC. 2. In carrying out the purposes of the foregoing appropriation the President is authorized (a) to prescribe such rules and regulations as may be necessary and to utilize agencies within the Government and to empower such agencies to prescribe rules and regulations to carry out the functions delegated thereto by the President: *Provided*, That the rates of pay for persons engaged upon projects under the foregoing appropriation shall be not less than the prevailing rates of pay for work of a similar nature in the same locality as determined by the Works Progress Administration with the approval of the President; and (b) to accept and utilize voluntary and uncompensated services, and utilize, with the consent of the State, such State and local officers and employees as may be necessary, and prescribe their authorities, duties, and responsibilities: *Provided, however*, That in the employment of persons, applicants in actual need whose names have not heretofore been placed on relief rolls shall be given the same eligibility for employment as applicants whose names have heretofore appeared on such rolls: *Provided further*, That in order to insure the fulfillment of the purposes for which the foregoing appropriation is made and to avoid competition between the Works Progress Administration and other Federal or non-Federal agencies in the employment of labor on construction projects of any nature whatsoever, financed in whole or in part by the Federal Government, no relief worker shall be eligible for employment on any project of the Works Progress Administration who has refused to accept employment on any other Federal or non-Federal project at a wage rate comparable with or higher than the wage rate established for similar work on projects of the Works Progress Administration: *Provided further*, That any relief worker who has been engaged on any Federal or non-Federal project and whose service has been regularly terminated through no fault of his own shall not lose his eligibility for restoration to the relief rolls or for reemployment on any other Federal or non-Federal project on account of such previous employment: *Provided further*, That the fact that a person is entitled to or has received either adjusted-service bonds or a Treasury check in payment of an adjusted-compensation certificate shall not be considered in determining actual need of such employment.

Provisos.
Prevailing rates of pay.

Voluntary and uncompensated services.

Employing needy not heretofore listed.

Restriction on employment.

Restoration to rolls where separation not due to fault of enrollee, etc.

Adjusted compensation not considered in determining need of employment.

Employment of illegally entered, etc., aliens on projects, restriction.

SEC. 3. The departments, agencies, or establishments having supervision of projects for which funds from the foregoing appropriation are made available shall not knowingly employ on such projects aliens illegally within the limits of the United States or aliens who have not filed declaration of intention to become citizens, and they shall

make every reasonable effort consistent with prompt employment of the destitute unemployed to see that such aliens are not employed, and if employed and their status as such alien is disclosed they shall thereupon be discharged: *Provided*, That preference shall be given to American citizens who are in need of relief in employment by the Works Progress Administration and next those aliens who are in need of relief and who have declared their intention to become citizens prior to the enactment of this joint resolution: *Provided further*, That veterans of the World War and Spanish War who are in need of relief shall be given preference for employment by the Works Progress Administration.

Provisos.
Preference to be given citizens, etc

World War and Spanish War veterans.

SEC. 4. Any Administrator or other officer named to have general supervision at the seat of government over the program and work contemplated under the foregoing appropriation and receiving a salary of $5,000 or more per annum from such appropriation, and any State or regional administrator receiving a salary of $5,000 or more per annum from such appropriation shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the provisions of section 1761 of the Revised Statutes shall not apply to any such appointee and the salary of any person so appointed shall not be increased for a period of six months after confirmation.

Administrators, general supervisors; appointment, etc.

Proviso.
Recess appointments.
R. S. § 1761.
5 U. S. C. § 56.

SEC. 5. Appointments to Federal positions of an administrative or advisory capacity under the foregoing appropriation in any State shall be made from among the bona-fide citizens of that State so far as not inconsistent with efficient administration.

Federal administrative, etc., positions in States; appointments.

So far as not inconsistent with efficient administration no part of the sums appropriated by this joint resolution shall be available to pay the compensation of any officer or employee of the United States who holds an administrative, executive, or supervisory position under this joint resolution, if the position is in any office located outside the District of Columbia or is on any project prosecuted in any place outside the District of Columbia, unless such person is an actual and bona-fide citizen of the State, Territory, region, or district in which the office or project is situated, but this provision shall not apply to the temporary and emergency assignment of any person to a position where the period of service in such position does not exceed sixty days.

Requirements.

SEC. 6. No part of the foregoing appropriation shall be used to pay the salary or expenses of any person who is a candidate for any State, district, county, or municipal office (such office requiring full time of such person and to which office a salary or per diem attaches), in any primary, general, or special election, or who is serving as a campaign manager or assistant thereto for any such candidate.

Candidate for State, etc., office or campaign manager, pay restriction.

SEC. 7. Hereafter, so far as not inconsistent with efficient administration, all appointments of persons to the Federal Service for employment within the District of Columbia, under the provisions of this joint resolution, whether such appointments be within the classified Civil Service or otherwise, shall be apportioned among the several States and the District of Columbia upon the basis of population as ascertained at the last preceding census.

Apportionment of appointments.

In making separations from the Federal Service, or furloughs without pay to last as long as three months, of persons employed within the District of Columbia, under the provisions of this joint resolution the appointing power shall give preference, as nearly as good administration will warrant, in retention to appointees from States that have not received their share of appointments according

Preferential retention of appointees according to State population.

Proviso. Soldiers, sailors, and marines, etc., preferential status.

to population: *Provided, however*, That soldiers, sailors, and marines, the widows of such, or the wives of injured soldiers, sailors, and marines, who themselves are not qualified, but whose wives are qualified to hold a position in the Government Service, shall be given preference in retention, in their several grades and classes, where their ratings are good or better.

Disability or death compensation, persons entitled to; exceptions. 48 Stat. 351.

SEC. 8. The provisions of the Act of February 15, 1934 (48 Stat. 351), relating to disability or death compensation and benefits shall apply to persons (except administrative employees qualifying as civil employees of the United States) receiving compensation from the foregoing appropriation for services rendered as employees of the United States and to persons receiving assistance in the form of payments from the United States for services rendered under the National Youth Administration created by Executive order of June 26, 1935: *Provided*, That hereafter the monthly compensation in any individual case heretofore or hereafter coming within the purview of said Act of February 15, 1934, shall not exceed the rate of $30, exclusive of medical costs: *Provided further*, That so much of the foregoing appropriation as the United States Employees' Compensation Commission, with the approval of the Director of the Bureau of the Budget, estimates and certifies to the Secretary of the Treasury will be necessary for the payment of such compensation and administrative expenses shall be set aside in a special fund to be administered by the Commission for such purposes; and after June 30, 1938, such special fund shall be available for such purposes annually in such amounts as may be specified therefor in the annual appropriation Acts: *Provided further*, That this section shall not apply in any case coming within the purview of the workmen's compensation law of any State or Territory, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

National Youth Administration.

Provisos. Limitation.

Special fund created.

Availability.

Cases within purview of State, etc., workmen's compensation laws.

Administrative, etc., expenses.

SEC. 9. Subject to the limitations of section 1 of this joint resolution so much of the foregoing appropriation as may be determined by the President to be necessary for administrative expenses of any department, establishment, or agency of the United States for additional work incident to carrying out the purposes of such appropriation or the provisions of section 5 of the Emergency Relief Appropriation Act of 1935, or as may be necessary for administrative expenses of the National Resources Committee, may be allotted therefor by the President, and the funds so allotted shall be available until June 30, 1938, for expenditure in the discretion of the President for the purposes and in accordance with the provisions of the first paragraph of section 3 of said Act.

Establishment of special funds for materials, supplies, etc.

SEC. 10. In carrying out the purpose of the foregoing appropriation the President is authorized to prescribe rules and regulations for the establishment of special funds in the nature of revolving funds for use, until June 30, 1938, in the purchase, repair, distribution, or rental of materials, supplies, equipment, and tools: *Provided*, That the requirement in section 1 hereof that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control and water-conservation projects authorized by other law and prosecuted hereunder.

Proviso. Flood control, etc., projects, certain construction provisions waived.

Minor purchases. R. S. § 3709. 41 U. S. C. § 5.

SEC. 11. The provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any purchase made or service procured in connection with the foregoing appropriation when the aggregate amount involved is less than $300.

False statements with intent to defraud, etc.

SEC. 12. Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any project, employment, or relief aid under the fore-

going appropriation, or diverts, or attempts to divert or assists in diverting, for the benefit of any person or persons not entitled thereto, any portion of such appropriation, or any services or real or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, or discrimination on account of race, religion, or political affiliations, deprives any person of any of the benefits to which he may be entitled under such appropriation, or attempts so to do, or assists in so doing, shall be deemed guilty of a misdemeanor and fined not more than $2,000 or imprisoned not more than one year, or both.

Punishment for.

SEC. 13. The Works Progress Administrator is hereby authorized and directed to liquidate and wind up the affairs of the Federal Emergency Relief Administration established under the Act of May 12, 1933, as amended, and funds available to said Federal Emergency Relief Administration shall be available for expenditure for such purpose until June 30, 1938.

Federal Emergency Relief Administration, liquidation.
48 Stat. 55.
15 U. S. C. §§ 721–728.

SEC. 14. A report of the operations under the foregoing appropriation, including a statement of the expenditures made and obligations incurred by classes and amounts, shall be submitted by the President to Congress before the 15th day of January in each of the next two regular sessions of Congress.

Report of operations to Congress.

SEC. 15. No part of the funds made available in this joint resolution shall be loaned or granted, except pursuant to an obligation incurred prior to the date of the enactment of this joint resolution, to any State, or any of its political subdivisions or agencies, for the purpose of carrying out or assisting in carrying out any program or project of constructing, rebuilding, repairing, or replanning its penal or reformatory institutions, unless the President shall find that the projects to be financed with such loan or grant will not cause or promote competition of the products of convict labor with the products of free labor.

Restriction on use of funds.

SEC. 16. Title I of this joint resolution may be cited as the "Emergency Relief Appropriation Act of 1937".

Short title.

TITLE II

SEC. 201. The Federal Emergency Administration of Public Works (herein called the "Administration") is hereby continued until July 1, 1939, and until such date is hereby authorized to continue to perform all functions which it is authorized to perform on June 29, 1937. All provisions of law existing on June 29, 1937, and relating to the availability of funds for carrying out any of the functions of such Administration are hereby continued until July 1, 1939, except that the date specified in the Emergency Relief Appropriation Act of 1936, prior to which, in the determination of the Federal Emergency Administrator of Public Works (herein called the "Administrator"), a project can be substantially completed is hereby changed from "July 1, 1938" to "July 1, 1939".

Public Works Administration Extension Act of 1937.
48 Stat. 200.

SEC. 202. The amount which the Reconstruction Finance Corporation is authorized by existing law to have invested at any one time in securities purchased from the Administration is hereby increased from $250,000,000 to $400,000,000.

Reconstruction Finance Corporation, investment in securities increased.

SEC. 203. The amount of funds which the Administrator, upon direction of the President, is authorized to use for grants from moneys realized from the sale of securities is hereby increased from $300,000,000 to $359,000,000; and after the date of the enactment of this joint resolution no allotment shall be made by the Administrator for any project the application for which has not been approved by the examining divisions of the Administration prior to such date.

Amount authorized for grants increased.

Appropriation for administrative expenses increased. *Ante*, p. 351.

SEC. 204. The paragraph in the Independent Offices Appropriation Act, 1938, under the caption "Federal Emergency Administration of Public Works" is hereby amended by (a) striking out the words "in connection with the liquidation" and (b) striking out the sum of "$10,000,000" and inserting in lieu thereof the sum of "$15,000,000".

Availability of funds for projects designated.

SEC. 205. The funds available to the Administrator for the making of loans or grants or loans and grants may be used for projects (in addition to other purposes for which funds may be used) of the following classes, in amounts not to exceed the sums specified for each such class: (a) For school projects (other than those included in subdivisions (b) and (c) of this section) to replace, eliminate, or ameliorate existing school facilities or conditions which, in the determination of the Administrator, are hazardous to the life, safety, or health of school children, $60,000,000 for grants and $11,000,000 for loans; (b) for projects which have been authorized, or for the financing of which bonds or other obligations have been authorized, at elections held prior to the date of enactment of this joint resolution, or for projects for which an authority or board constituting an independent corporation without taxing power has been specifically created by a State legislature prior to such date, $70,000,000 for grants and $22,000,000 for loans; (c) for projects for which appropriations have been made by the legislatures of the States, $15,000,000 for grants and $2,000,000 for loans; (d) for projects to be financed, except for the grant, by the issuance to contractors of tax or assessment securities at not less than their par value: *Provided*, That an allotment shall not be made for any such project unless the applicant has, in the determination of the Administrator, made or incurred substantial expenditures or obligations in contemplation of receiving an allotment, $5,000,000 for grants; (e) for projects for which funds have been tentatively earmarked by the Administrator but for which formal allotments have not been made, $54,000,000 for grants and $78,000,000 for loans: *Provided*, That the grant for any such project shall not exceed the amount tentatively earmarked as a grant for such project: *Provided further*, That the amount specified for any of the foregoing classes may be increased by not to exceed 15 per centum thereof by transferring an amount or amounts from any other class or classes in order to effectuate the purposes of the title.

Provisos.
Conditions for making allotments.

Grant not to exceed amount earmarked.

Increase by transfer permitted.

Non-Federal projects, new loans forbidden.

SEC. 206. No new applications for loans or grants for non-Federal projects shall be received or considered by the Administration after the date of enactment of this joint resolution.

Short title.

SEC. 207. Title II of this joint resolution may be cited as the "Public Works Administration Extension Act of 1937".

Approved, June 29, 1937, 11 p. m.

[CHAPTER 402]

June 29, 1937
[H. J. Res. 375]
[Pub. Res., No. 48]

JOINT RESOLUTION

To provide revenue, and for other purposes.

Revenue Act of 1932.
Certain excise and miscellaneous taxes continued.
47 Stat. 259, 270-276; 49 Stat. 431.
Postage rates.
47 Stat. 285; 48 Stat. 254.
Gasoline tax.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV, as amended, and parts I, II, III, and IV, of title V, as amended, of the Revenue Act of 1932, are further amended by striking out "1937" wherever appearing therein and inserting in lieu thereof "1939". Section 1001 (a), as amended, of the Revenue Act of 1932, and section 2, as amended, of the Act entitled "An Act to extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes", approved June 16, 1933, are further amended by striking out "1937" wherever appearing therein and inserting in lieu thereof "1939".

Approved, June 29, 1937, 10 p. m.

[CHAPTER 403]

AN ACT

June 29, 1937
[H. R. 5996]
[Public, No. 172]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1938, and for other purposes.

District of Columbia.
Appropriation for expenses of, fiscal year 1938, from District revenues and $5,000,000 from the Treasury.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1938, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, $5,000,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1937, and all of the remainder out of the combined revenues of the District of Columbia, namely:

GENERAL EXPENSES

General expenses.

EXECUTIVE OFFICE

Executive office.

Office personnel.
Additional, for Engineer Commissioner.

For personal services, $48,060, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional and scientific service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in accordance with the Classification Act of 1923, as amended, with the exception of the two civilian Commissioners the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Provisos.
Salaries limited to average rates under Classification Act; exceptions.
42 Stat. 1488.
5 U. S. C. §§ 661-674.

If only one position in a grade.

Advances in meritorious cases.

Restrictions not applicable to clerical-mechanical service.
No reduction in fixed salaries.
42 Stat. 1490.
5 U. S. C. § 666.
Transfers without pay reduction.

Higher rates permitted.

If only one position in a grade.

Purchasing division: For personal services, $57,000.

Building inspection division: For personal services, $121,360.

Plumbing inspection division: For personal services, $43,160; two members of plumbing board at $150 each; in all, $43,460.

Purchasing division.
Building inspection division.
Plumbing inspection division.

Smoke and boiler regulation.

Smoke and boiler regulation: For personal services, equipment, instruments, supplies, transportation, and other contingent expenses necessary for the enforcement of the Act entitled "An Act to prevent the fouling of the atmosphere in the District of Columbia by smoke and other foreign substances, and for other purposes", approved August 15, 1935 (49 Stat., p. 653), and the Act entitled "An Act to provide for the inspection, control, and regulation of steam boilers and unfired pressure vessels in the District of Columbia", approved June 25, 1936 (49 Stat., p. 1917), $20,500.

49 Stat. 653.

49 Stat. 1917.

Poundmaster's office.

Office of Poundmaster: For personal services, maintenance and operation of motor vehicles, and other necessary expenses, $10,490: *Provided*, That the salary of the poundmaster shall be at the rate of $2,000 per annum.

Proviso. Salary rate.

Public convenience stations.

PUBLIC CONVENIENCE STATIONS

Maintenance.

For maintenance of public convenience stations, including compensation of necessary employees, $14,000.

Care of District buildings

CARE OF THE DISTRICT BUILDINGS

Operating force.

For personal services, including temporary labor, and service of cleaners as necesssary at not to exceed 48 cents per hour, $96,700: *Provided*, That no other appropriation made in this Act shall be available for the employment of additional assistant engineers or watchmen for the care of the District Buildings.

Proviso Employment of adtional assistant engineers or watchmen.

Operating supplies.

For fuel, light and power, repairs, laundry, and miscellaneous supplies, $30,000.

ASSESSOR'S OFFICE

Assessor's office.

For personal services, $221,000.

COLLECTOR'S OFFICE

Collector's office.

For personal services, $47,900.

Auditor's office.

AUDITOR'S OFFICE

Personal services.

For personal services, $131,700, of which $5,000 shall be available without reference to the Classification Act of 1923, as amended, and civil-service requirements for examination of estimates of appropriations and for other purposes; and the compensation of the present incumbent of the position of disbursing officer of the District of Columbia shall be exclusive of his compensation as United States property and disbursing officer for the National Guard of the District of Columbia.

Examination of estimates of appropriations.

Disbursing officer permitted other compensation.

Corporation Counsel's office.

OFFICE OF CORPORATION COUNSEL

Corporation counsel; extra pay, Public Utilities Commission.

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, and other personal services, $98,060.

Alcoholic Beverage Control Board.

ALCOHOLIC BEVERAGE CONTROL BOARD

Personal services and expenses.

For personal services, street-car and bus transportation, telephone service, not exceeding $1,000 for the purchase of samples, not exceeding $100 for witness fees, and other necessary contingent and miscellaneous expenses, $42,440.

Coroner's office.

CORONER'S OFFICE

Personal services. 5 U. S. C. §§ 661–674.

For personal services, including deputy coroners, in accordance with the Classification Act of 1923, as amended, $10,600.

Morgue, etc., expenses.

For the maintenance of a non-passenger-carrying motor wagon for the morgue, jurors' fees, witness' fees, ice, disinfectants, telephone service, and other necessary supplies, repairs to the morgue, and the

necessary expenses of holding inquests, including stenographic services in taking testimony and photographing unidentified bodies, $4,000.

OFFICE OF SUPERINTENDENT OF WEIGHTS, MEASURES, AND MARKETS

Office of Superintendent of Weights, Measures, and Markets.

For personal services, $53,800.

Personal services.

For contingent expenses, and maintenance and repairs to markets, including not to exceed $1,000 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, maintenance and repair of motor vehicles, and not exceeding $750 for the purchase including exchange, of one motor vehicle equipped for making investigations of sales of gasoline and oil by short measure, $9,175.

Contingent expenses.

Purchase of commodities.

Post, p. 760.

OFFICE OF CHIEF CLERK, ENGINEER DEPARTMENT

Engineer Department.

For personal services, $31,940, including $2,600 for the employment of one safety inspector.

Chief Clerk's office.

Safety inspector.

MUNICIPAL ARCHITECT'S OFFICE

Municipal Architect's office.

For personal services, $57,980.

Personal services.

All apportionments of appropriations for the use of the municipal architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than $2,000,000 of appropriations made for such construction projects and not exceeding 2¾ per centum of a total of the appropriations in excess of $2,000,000.

Apportionments.

PUBLIC UTILITIES COMMISSION

Public Utilities Commission.

For two commissioners, people's counsel, and for other personal services, $61,500, of which amount not to exceed $5,000 may be used for the employment of expert services by contract or otherwise and without reference to the Classification Act of 1923, as amended.

Commissioners, people's counsel, etc.

Experts.

For incidental and all other general necessary expenses authorized by law, including the purchase of newspapers, $1,500.

Incidental, etc., expenses.

No part of the appropriations contained in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission.

Issuance of orders requiring meters in taxicabs forbidden.

BOARD OF EXAMINERS, STEAM ENGINEERS

Examiners, steam engineers.

Salaries: Two members, at $150 each, $300, and the inspector of boilers shall serve without additional compensation.

Salaries; boiler inspector.

DEPARTMENT OF INSURANCE

Insurance department.

For personal services, including one fire-insurance-rate expert at not exceeding $4,600 per annum, $29,220.

SURVEYOR'S OFFICE

Surveyor's office.

For personal services, $79,000.

Personal services.

For completing the rebinding and repairing of record books in the office of the surveyor of the District of Columbia, showing properties in the District of Columbia, $2,500.

Record books, repair, etc.

Minimum Wage Board.

MINIMUM WAGE BOARD

Personal services.

For personal services, including not to exceed $2,500 for the secretary of the Board, $8,040.

Contingent expenses.

For equipment, transportation, and other necessary expenses, $575.

Employees' compensation fund.

DISTRICT OF COLUMBIA EMPLOYEES' COMPENSATION FUND

Payments for injuries.
41 Stat. 104.

39 Stat. 742.
5 U. S. C. §§ 751–796.

For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, $41,000.

Administrative expenses, compensation to injured employees.
45 Stat. 600.

Administrative expenses, compensation to injured employees in the District of Columbia: For the enforcement of the Act entitled "An Act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes", approved May 17, 1928 (45 Stat., p. 600), $53,300, for transfer to and expenditure by the Employees' Compensation Commission under its appropriations "Salaries and expenses", $53,000, and "Printing and binding", $300.

Transfer to Commission.

Retirement Act; contribution from District revenues.

5 U. S. C. § 707a.

For financing of the liability of the government of the District of Columbia, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (U. S. C., title 5, sec. 707a), $842,760, which amount shall be placed to the credit of the "civil service retirement and disability fund."

Department of Vehicles and Traffic.

DEPARTMENT OF VEHICLES AND TRAFFIC

Personal services.

For personal services, $82,440.

Expenses, etc.

For purchase, installation, and modification of electric traffic lights, signals, and controls, markers, painting white lines, labor, maintenance of non-passenger-carrying motor vehicles, and such other expenses as may be necessary in the judgment of the Commissioners, including not to exceed $30,000 for the operation and maintenance of electric traffic lights, signals, and controls, $93,000, of which not less than $25,000 shall be expended for the purchase, installation, and modification of electric traffic-light signals: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining street-car loading platforms and lights of any description employed to distinguish same.

Proviso.
Not available for street-car loading platforms, etc.

Identification plates.

For the purchase of motor-vehicle identification number plates, $20,000.

Register of Wills.

REGISTER OF WILLS

Personal services.

For personal services, $74,940.

Contingent expenses.

For miscellaneous and contingent expenses, telephone bills, printing, typewriters, photostat paper and supplies, including laboratory coats and photographic developing-room equipment, towels, towel service, window washing, street-car tokens, furniture and equipment and repairs thereto, and purchase of books of reference, law books, and periodicals, $10,500.

Recorder of Deeds.

RECORDER OF DEEDS

Personal services.

For personal services, $110,000.

Contingent expenses.

For miscellaneous and contingent expenses, including telephone service, printing, binding, rebinding, repairing, and preservation of

records; typewriters, towels, towel service, furniture and equipment and repairs thereto; books of reference, law books and periodicals, street-car tokens, postage; not exceeding $100 for rest room for sick and injured employees and the equipment of and medical supplies for said rest room, and all other necessary incidental expenses, $12,500.

For rent of offices of the recorder of deeds, $14,000, to be expended without reference to the provisions of section 6 of this Act.

Rent.
Post, p. 394.

CONTINGENT AND MISCELLANEOUS EXPENSES

Contingent and miscellaneous expenses.
Objects specified.

For checks, books, law books, books of reference, periodicals, newspapers, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; ice; traveling expenses not to exceed $2,000, including payment of dues and traveling expenses in attending conventions when authorized by the Commissioners of the District of Columbia; expenses authorized by law in connection with the removal of dangerous or unsafe and insanitary buildings, including payment of a fee of $6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed on surveys of dangerous or unsafe buildings; not exceeding $3,000 for the settlement of claims not in excess of $250 each, approved by the Commissioners under and in accordance with the provisions of the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500); and other general necessary expenses of District offices, $29,050: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for printing or binding a schedule or list of supplies and materials for the furnishing of which contracts have been or may be awarded.

Removing unsafe, etc., buildings.

Settlement of claims.

45 Stat. 1160; 46 Stat. 500.

Proviso.
Printing, etc., list of supplies forbidden.

For postage for strictly official mail matter, including the rental of postage-meter equipment, $28,000.

Postage.

For judicial expenses, including witness fees, and expert services in District of Columbia cases before the District Court of the United States for the District of Columbia, $1,800: *Provided*, That the Commissioners of the District of Columbia are authorized, when in their judgment such action be deemed in the public interest, to contract for stenographic reporting services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) under available appropriations contained in this Act: *Provided further*, That neither the District of Columbia nor any officer thereof acting in his official capacity for the District of Columbia shall be required to pay court costs to the clerk of the District Court of the United States for the District of Columbia.

Judicial expenses.

Provisos.
Contract reporting services.

R. S. § 3709.
41 U. S. C. § 5.

No court costs, etc., in District Court for D. C. required.

For general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, $7,000: *Provided*, That this appropriation shall not be available for the payment of advertising in newspapers published outside of the District of Columbia, notwithstanding the requirement for such advertising provided by existing law.

General advertising.

Proviso.
Outside advertising.

For advertising notice of taxes in arrears July 1, 1937, as required to be given by the Act of February 28, 1898, as amended, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, $5,500: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one morning or one evening newspaper published in the District of Columbia, notwithstanding the provisions of existing law.

Taxes in arrears.
30 Stat. 250.

Proviso.
Advertising delinquent tax list in newspapers.

Printing and binding.
Proviso.
Approval of requisitions required.

For printing and binding, $49,000: *Provided*, That no part of the appropriations contained in this Act shall be available for expenditure for printing and binding unless the need for such expenditure shall have been specifically approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for such Commissioners.

Conference on Uniform State Laws.

To aid in support of the National Conference of Commissioners on Uniform State Laws, $250.

Central Garage.

CENTRAL GARAGE

Automobiles, maintenance, etc.

For maintenance, care, repair, and operation of passenger-carrying automobiles owned by the District of Columbia, including personal services, $60,980; for purchase (including exchange) of passenger-carrying automobiles, $12,040; in all, $73,020.

Private vehicle allowances.

For allowances for furnishing privately owned motor vehicles in the performance of official duties at a rate of not to exceed $264 per year for each automobile, $10,296: *Provided*, That allowances under this appropriation shall be made only to persons whose duties require full-time field service.

Proviso.
Restriction.

Use of District-owned vehicles restricted.

All motor-propelled passenger-carrying vehicles owned by the District of Columbia shall be used exclusively for "official purposes" directly pertaining to the public services of said District, and shall be under the direction and control of the Commissioners, who may from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District, except as otherwise provided in this Act; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except as to the Commissioners of the District of Columbia and in cases of officers and employees the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the Commissioners: *Provided*, That no passenger-carrying automobile, except busses, station wagons, patrol wagons, and ambulances, and except as otherwise specifically authorized in this Act, shall be acquired under any provision of this Act, by purchase or exchange, at a cost, including the value of a vehicle exchanged, exceeding $650. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Transportation between domicile and place of employment.

Proviso.
Purchase, etc., restrictions.

Transfers forbidden.

Fire-insurance premiums forbidden.

Appropriations in this Act shall not be used for the payment of premiums or other cost of fire insurance.

Street-car and bus fares.

The Commissioners are authorized, in their discretion, to furnish necessary transportation in connection with strictly official business of the District of Columbia by the purchase of street-car and bus fares from appropriations contained in this Act: *Provided*, That the expenditures herein authorized shall be so apportioned as not to exceed a total of $8,900: *Provided further*, That the provisions of this paragraph shall not include the appropriations herein made for the fire and police departments.

Provisos.
Limitation.

Fire and police departments excepted.

EMPLOYMENT SERVICE

Employment service.

For personal services and miscellaneous and contingent expenses required for maintaining a public employment service for the District of Columbia, $4,640.

EMERGENCY FUND

Emergency fund, expenses; restriction.

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood, or fire, or storm, and of like character, and in all other cases of emergency not otherwise

sufficiently provided for, in the discretion of the Commissioners, $2,500: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of this appropriation for such purposes as they may deem necessary.

Proviso. Voucher for expenditure.

REFUND OF ERRONEOUS COLLECTIONS

Refund of erroneous collections.

To enable the Commissioners, in any case where special assessments, school tuition charges, payments for lost library books, rents, fees, or collections of any character have been erroneously covered into the Treasury, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat., p. 967), $3,000: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

Payments authorized.

Building permits. 36 Stat. 967.

Proviso. Availability.

For payment of amounts collected by the District erroneously on account of taxes, fines, fees, and similar charges, which are returned to the respective parties who may have paid the same, $100,000: *Provided*, That this appropriation shall be available for refund of such erroneous payments made within the past three years only.

Erroneously collected taxes, fines, etc.

Proviso. Availability.

WHARVES

Wharves.

For reconstruction, where necessary, and for maintenance and repair of wharves under the control of the Commissioners of the District of Columbia, in the Washington Channel of the Potomac River, $3,000.

Reconstruction, maintenance, etc.

REPAYMENT OF LOAN FROM PUBLIC WORKS ADMINISTRATION

Loan from Public Works Administration.

For reimbursement to the United States, in compliance with section 3 of the Act approved June 25, 1934 (48 Stat., p. 1215), of funds loaned under the authority of said Act, $1,000,000: *Provided*, That during the fiscal year 1938 no greater sum shall be deposited in the Treasury of the United States to the credit of the special account established under section 3 of said Act than is required by said section for reimbursement to the United States.

Reimbursement. 48 Stat. 1215.

Proviso. Amount of deposit, 1938.

FREE PUBLIC LIBRARY

Free Public Library.

For personal services, and for substitutes and other special and temporary services, including extra services on Sundays, holidays, and Saturday half holidays, at the discretion of the librarian, $380,010.

Personal services.

Miscellaneous: For books, periodicals, newspapers, and other printed material, including payment in advance for subscription books, and society publications, $84,500: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the free Public Library, upon requisition previously approved by the auditor of the District of Columbia, sums of money not exceeding $25 at the first of each month, to be expended for the purchase of certain books, pamphlets, numbers of periodicals or newspapers, or other printed material, and to be accounted for on itemized vouchers.

Miscellaneous.

Proviso. Advances for purchases of books, etc.

Accounting.

For binding, including necessary personal services, $20,000.

Binding.

For maintenance, alterations, repairs, fuel, lighting, fitting up buildings, care of grounds, maintenance of motor delivery vehicles, and other contingent expenses, including not to exceed $800 for purchase and exchange of one motor delivery vehicle, $36,000.

Contingent expenses.

Chevy Chase and Woodridge branches.

For rent of suitable quarters for branch libraries in Chevy Chase and Woodridge, $4,320.

Petworth branch, completing construction.

For completing construction of the Petworth branch library building, including improvement of grounds and necessary furniture and equipment, $105,000: *Provided*, That the limit of cost fixed in the Act of June 23, 1936, is hereby increased from $150,000 to $180,000.

Proviso.
Limit of cost increased.
49 Stat. 1861.

SEWERS

Sewers.

Personal services.

For personal services, $180,030.

Cleaning, repair, etc.
Motor trucks.

For cleaning and repairing sewers and basins; including the replacement of the following motor trucks: One at not to exceed $2,500; two at not to exceed $975 each; and the purchase of one motor truck at not to exceed $2,500; and for operation and maintenance of the sewage pumping service, including repairs to boilers, machinery, and pumping stations, and employment of mechanics and laborers, purchase of coal, oil, waste, and other supplies, and the maintenance of non-passenger-carrying motor vehicles used in this work, $245,000.

Main and pipe, etc.

For main and pipe sewers and receiving basins, $100,000.

Suburban.
Motor trucks.

For suburban sewers, including the maintenance of non-passenger-carrying motor vehicles used in this work, and the replacement of the following motor trucks: Two at not to exceed $975 each; one at not to exceed $750; and one at not to exceed $650; in all, $150,000.

Oxon Run Interceptor, construction.

For commencing construction of the Oxon Run Interceptor to provide an outlet for sewage from Washington Highlands, $169,000.

Assessment and permit work.

For assessment and permit work, sewers, including not to exceed $1,000 for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, $400,000.

Mosquito control.

For the control and prevention of the spread of mosquitoes in the District of Columbia, including personal services, operation, maintenance, and repair of motor-propelled vehicles, purchase of oil, and other necessary expenses, $12,000: *Provided*, That of the amount herein appropriated there may be transferred, in the interest of coordinating the work of mosquito control in the District of Columbia, not to exceed $4,100 to the Public Health Service of the Treasury Department, the amount so transferred to be available for the objects herein specified.

Proviso.
Transfer to Public Health Service.

Sewage treatment plant.

Sewage treatment plant: For operation and maintenance, including salaries and wages of necessary employees, supplies, repairs to buildings and equipment, purchase of electric power, fuel, oil, waste, and other necessary expenses including the maintenance of non-passenger-carrying motor vehicles used in this work, $160,000.

COLLECTION AND DISPOSAL OF REFUSE

City refuse.

Personal services.

For personal services, $130,000.

Sweeping, cleaning, etc.

For dust prevention, sweeping and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the Commissioners, including services and purchase and maintenance of equipment, rent of storage rooms; maintenance and repair of garages; maintenance and repair of non-passenger-carrying motor-propelled vehicles necessary in cleaning streets and purchase of motor-propelled street-cleaning equipment and necessary incidental expenses, $403,730.

Garbage, dead animals, ashes, etc.

To enable the Commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including inspection; fencing of public and private property designated by the Commissioners as public dumps; and

incidental expenses, $850,000: *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments in which the landlord furnishes heat to tenants.

Proviso.
Collection restriction.

PUBLIC PLAYGROUNDS

Public playgrounds.

For personal services, $127,780: *Provided*, That employments hereunder, except directors who shall be employed for twelve months, shall be distributed as to duration in accordance with corresponding employments provided for in the District of Columbia Appropriation Act for the fiscal year 1924.

Personal services.
Proviso.
Employments restricted.
42 Stat. 1340.

For general maintenance, repairs, and improvements, equipment, supplies, incidental and contingent expenses of playgrounds, including labor and maintenance, $40,800.

Maintenance, etc.

For the maintenance and contingent expenses of keeping open during the summer months the public-school playgrounds, under the direction and supervision of the Commissioners; for special and temporary services, directors, assistants, and janitor service during the summer vacation, and, in the larger yards, daily after school hours during the school term, $29,700.

Public school playgrounds, during summer.

For temporary services, including superintendence, supplies, repairs, maintenance, and expenses necessary in the operation of swimming or bathing pools, $11,300.

Swimming or bathing pools, operation.

ELECTRICAL DEPARTMENT

Electrical Department.

For personal services, $145,000.

Personal services.

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, telephone service charges, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets, pins, hardware, cross arms, ice, record book, stationery, extra labor, new boxes, maintenance of motor trucks, and other necessary items, including not to exceed $600 for the purchase of one non-passenger-carrying motor vehicle, $30,800.

Supplies, contingent expenses, etc.

For placing wires of fire alarm, police patrol, and telephone services underground, extension and relocation of police-patrol and fire-alarm systems, purchase and installing additional lead-covered cables, labor, material, appurtenances, and other necessary equipment and expenses, $40,000, of which $15,000 shall be available for the purchase and replacement of two sections of main trunk cables.

Placing wires underground, police patrol and fire alarm systems, etc.

Replacing sections of main trunk cables.

Lighting: For purchase, installation, and maintenance of public lamps, lampposts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost of maintenance of airport and airway lights necessary for operation of the air mail, and for all necessary expenses in connection therewith, including rental of storerooms, extra labor, operation, maintenance, and repair of motor trucks, this sum to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat., pp. 1008–1011, sec. 7), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat., pp. 181–184, sec. 7), and other laws applicable thereto, $765,000: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour

Lighting streets, etc.

Airway lights.

36 Stat. 1008.

37 Stat. 181.

Provisos.
Rates, limitation.

Awards to lowest bidder.

for current consumed: *Provided further*, That no part of this appropriation shall be available for the payment on any contract required by law to be awarded through competitive bidding, which is not awarded to the lowest responsible bidder on specifications, and such specifications shall be so drawn as to admit of fair competition.

Public schools.

PUBLIC SCHOOLS

Administrative and supervisory officers.

43 Stat. 367.

For personal services of administrative and supervisory officers in accordance with the Act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, approved June 4, 1924 (43 Stat., pp. 367–375), including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendents, $683,800.

Personal services.

For personal services of clerks and other employees, $180,260.

School attendance and work permits department.

43 Stat. 367, 806.

45 Stat. 998.

For personal services in the department of school attendance and work permits in accordance with the Act approved June 4, 1924 (43 Stat., pp. 367–375), the Act approved February 5, 1925 (43 Stat., pp. 806–808), and the Act approved May 29, 1928 (45 Stat., p. 998), $41,500.

Teachers, librarians, etc.

43 Stat. 367.

Health and physical education teachers.

Advancement provisions.

For personal services of teachers and librarians in accordance with the Act approved June 4, 1924 (43 Stat., pp. 367–375), including for teachers colleges assistant professors in salary class eleven, and professors in salary class twelve, and including $10,000 for health and physical education teachers to supervise play in schools of the central area bounded by North Capitol Street on the east, Florida Avenue on the north, the Mall on the south, and Twelfth Street on the west; and including $4,000 for advancement of teachers from group 1A to 1B, group 2A to 2B, group 3A to 3B, and group 2C to 2D, $7,167,820: *Provided*, That as teacher vacancies occur during the fiscal year 1938 in grades one to four, inclusive, of the elementary schools, such vacancies may be filled by the assignment of teachers now employed in kindergartens, and teachers employed in kindergartens are hereby made eligible to teach in the said grades: *Provided further*, That teaching vacancies that occur during the fiscal year 1938 wherever found may be filled by the assignment of teachers of special subjects and teachers not now assigned to classroom instruction, and such teachers are hereby made eligible for such assignment without further examination: *Provided further*, That the average of the salaries paid librarians in the public schools shall not exceed the average of the salaries paid employees performing the same grade of work in the Free Public Library.

Provisos.
Assignment of kindergarten teachers in grades 1 to 4.

Placing unassigned teachers of special, etc., subjects.

Librarians, pay restriction.

Vacation schools, instruction, etc.

For the instruction and supervision of children in the vacation schools, and supervisors and teachers of vacation schools may also be supervisors and teachers of day schools, $30,400.

Night schools.

NIGHT SCHOOLS

Salaries.

For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, $102,180, of which $8,000 shall be for night-school instruction at Western High School.

Contingent expenses.

For contingent and other necessary expenses, including equipment and purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction, $4,000.

Americanization work.

AMERICANIZATION WORK

Instruction of foreigners of all ages.

For Americanization work and instruction of foreigners of all ages in both day and night classes, and teachers and janitors of

Americanization schools may also be teachers and janitors of the day schools, $8,800.

For contingent and other necessary expenses, including books, equipment, and supplies, $600. Contingent expenses.

For carrying out the provisions of the Act of June 19, 1934 (U. S. C., title 34, sec. 945), entitled "An Act providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War", $3,000. Instruction of children of veterans who lost their lives during World War. 48 Stat. 1125. 34 U. S. C. § 945.

For the development of vocational education in the District of Columbia in accordance with the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories," approved June 8, 1936 (49 Stat., p. 1488), $4,235. Development of vocational education. 49 Stat. 1488. 20 U. S. C., Supp. II, §§ 15h–15p.

COMMUNITY CENTER DEPARTMENT Community Centers.

For personal services of the director, general secretaries, and community secretaries in accordance with the Act approved June 4, 1924 (43 Stat., pp. 369, 370); clerks and part-time employees, including janitors on account of meetings of parent-teacher associations and other activities, and contingent expenses, equipment, supplies, and lighting fixtures, $102,000. Salaries and expenses. 43 Stat. 369.

CARE OF BUILDINGS AND GROUNDS Care of buildings and grounds.

For personal services, including care of smaller buildings and rented rooms at a rate not to exceed $96 per annum for the care of each schoolroom, other than those occupied by atypical or ungraded classes, for which service an amount not to exceed $120 per annum may be allowed, $942,705. Salaries. Smaller buildings and rented rooms.

MISCELLANEOUS Miscellaneous.

For the maintenance of schools for tubercular and crippled pupils, $8,300. Schools for tubercular and crippled pupils.

For transportation for pupils attending schools for tubercular pupils, sight conservation pupils, and crippled pupils, $22,500: *Provided*, That expenditures for street-car and bus fares from this fund shall not be subject to the general limitations on the use of street-car and bus fares covered by this Act. Transportation. *Proviso.* Car, etc., fares.

For purchase and repair of furniture, tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual and vocational training, and incidental expenses connected therewith, $64,000, to be immediately available. Manual, etc., training.

For fuel, gas, and electric light and power, $325,000. Fuel, light, and power.

For contingent expenses, including United States flags, furniture and repairs of same, including not exceeding $10,000 for the purchase of furniture and equipment for the Phelps Vocational School, stationery, ice, paper towels, and other necessary items not otherwise provided for, and including not exceeding $13,000 for books of reference and periodicals, of which $5,000 shall be available for the purchase of such books for the Wilson Teachers College, not exceeding $1,500 for replacement of pianos at an average cost of not to exceed $300 each, not exceeding $6,800 for labor; in all, $140,000, to be immediately available, of which not to exceed $1,200 may be expended for tabulating school census cards either by contract or by day labor as the Commissioners may determine: *Provided*, That a bond shall not be required on account of military supplies or equipment issued by the War Department for military instruction and practice by the students of high schools in the District of Columbia. Contingent expenses. Books for Wilson Teachers College. *Proviso.* No bond for Army supplies to cadets.

For completely furnishing and equipping buildings and additions to buildings as follows: Lafayette School addition and assembly-gymnasium, $5,500; Truesdell School, addition and assembly-gym- Furnishings, etc., for designated buildings.

nasium, $10,000; Grimke School, addition and assembly-gymnasium, $10,000; Young School, addition and gymnasium, $7,250; Cleveland School, addition, $6,750; Shepherd School, second floor, $2,750; Dennison Vocational School, $26,000; Paul Junior High School, addition and gymnasium, $10,500; Deal Junior High School, addition and gymnasium, $10,500; Eastern High School, alterations, $30,000; in all, $119,250.

Supplies to pupils. 46 Stat. 62.

For textbooks and other educational books and supplies as authorized by the Act of January 31, 1930 (46 Stat., p. 62), including not to exceed $7,000 for personal services, $185,000, to be immediately available.

Kindergartens.

For maintenance of kindergartens, $5,600, to be immediately available.

Supplies for general science departments.

For purchase of apparatus, fixtures, specimens, technical books, and for extending the equipment and for the maintenance of laboratories of the department of physics, chemistry, biology, and general science in the several high and junior high schools, vocational schools, and teachers colleges, and for the installation of the same, $16,400, to be immediately available.

School gardens, utensils, etc.

For utensils, materials, and labor, for establishment and maintenance of school gardens, $2,400.

Repairs, etc., to buildings.

For repairs and improvements to school buildings and grounds, repairing and renewing heating, plumbing, and ventilating apparatus, installation and repair of electric equipment, and installation of sanitary drinking fountains, and maintenance of motor trucks, including not to exceed $975 for the replacement of one one and one-half ton truck and including $4,000 for improvements at the Central High School stadium, $396,975, of which amount $100,000 shall be immediately available: *Provided*, That work performed for repairs and improvements shall be by contract or otherwise, as may be determined by the Commissioners to be most advantageous to the District of Columbia.

Proviso. Contracts, etc.

Equipment for school yard playgrounds. *Proviso.* Hours open.

For the purchase, installation, and maintenance of equipment, for school yards for the purposes of play of pupils, $7,000: *Provided*, That such playgrounds shall be kept open for play purposes in accordance with the schedule maintained for playgrounds under the jurisdiction of the playground department.

Annuities. 41 Stat. 387; 44 Stat. 727.

To carry out the purposes of the Act approved June 11, 1926, entitled "An Act to amend the Act entitled 'An Act for the retirement of public-school teachers in the District of Columbia', approved January 15, 1920, and for other purposes" (41 Stat., pp. 387–390), $400,000.

Deaf, dumb, and blind.

THE DEAF, DUMB, AND BLIND

Maintenance and instruction.

R. S. § 4864. 31 Stat. 844.

For maintenance and instruction of deaf and dumb persons admitted to the Columbian Institution for the Deaf from the District of Columbia, under section 4864 of the Revised Statutes, and as provided for in the Act approved March 1, 1901 (U. S. C., title 24, sec. 238), and under a contract to be entered into with the said institution by the Commissioners, $35,500.

Colored deaf mutes. Tuition of, under contract.

For maintenance and instruction of colored deaf-mutes of teachable age belonging to the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, $7,500: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

Proviso. Supervision of expenditures.

Blind children. Tuition of, under contract. *Proviso.* Supervision of expenditures.

For maintenance and instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, $11,500: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

Soliciting subscriptions, etc.

No part of any appropriation made in this Act shall be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from any pupil enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the Board of Education at a stated meeting upon the written recommendation of the superintendent of schools.

Requisitions for equipment subject to Commissioners' approval.

No money appropriated in this Act for the purchase of furniture and equipment and school supplies for the public schools of the District of Columbia shall be expended unless the requisitions of the Board of Education therefor shall be approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for the Commissioners.

Nature study, etc., teachers.

The Board of Education is authorized to designate the months in which the ten salary payments now required by law shall be made to teachers assigned to the work of instruction in nature study and school gardens.

Children of Army, Navy officers, etc., admitted to schools free.

The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition.

BUILDINGS AND GROUNDS

Buildings and grounds.

Vocational school for girls, replacing old Dennison Building.

For completing the construction of a vocational school for girls, to replace the old Dennison School Building on S Street, on land owned by the District of Columbia at Arkansas Avenue and Allison Street Northwest, $236,000: *Provided*, That the limit of cost fixed in the Act of June 23, 1936, is hereby increased from $280,000 to $336,000.

Proviso.
Limit of cost increased.
49 Stat. 1870.

Thomas Jefferson Memorial Junior High and Library, construction.
Post, p. 760.
Personal services.
R. S. § 3709.
41 U. S. C. § 5.

For beginning the construction of the Thomas Jefferson Memorial Junior High School and Library, $300,000, of which sum $16,800 shall be available for the preparation of plans, specifications, and administration; the employment of such personal services to be without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), the Classification Act of 1923, as amended, and civil-service requirements; and the Commissioners are authorized to enter into contract or contracts for such building or buildings at a cost not to exceed $800,000: *Provided*, That the library shall be under the administration of the Board of Library Trustees of the Free Public Library;

Proviso.
Library administration.

Bundy School, addition.

For the construction of an eight-room addition to the Bundy School, including an assembly hall-gymnasium, and the necessary remodeling of the present building, $150,000;

Vocational school, to replace Lenox.

For beginning the construction of a vocational school to replace the present Lenox Vocational School, on land now owned by the District of Columbia at Potomac Avenue between Thirteenth and Fourteenth Streets Southeast, $160,000, of which sum $7,560 shall be available for the preparation of plans, specifications, and administration, and the Commissioners are authorized to enter into a contract or contracts for such building at a cost not to exceed $360,000;

Cleveland School, addition.

For the construction of a third-story addition to the Cleveland School to provide six additional rooms, $114,000;

Senior high, Fifth and Sheridan Streets Northwest.

For beginning the construction of a new senior high school on a site already owned by the District of Columbia at Fifth and Sheridan Streets Northwest, $350,000, of which sum $28,300 shall be available for the preparation of plans, specifications, and administration; the

Personal services. 41 U. S. C. § 5.

Contracts.

employment of such personal services to be without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), or the Classification Act of 1923, as amended, and the Commissioners are authorized to enter into contract or contracts for such building at a cost not to exceed $1,350,000;

Junior high, Banneker playground site.

For the erection of a junior high school building on a portion of the site of the existing Banneker Playground, $200,000, of which sum $15,217 shall be available for the preparation of plans, specifications, and administration, and the Commissioners are authorized to enter into contract or contracts for such building at a cost not to exceed $724,650;

Contracts.

Shepherd, completion of second floor.

For the completion of the second floor of the Shepherd School, $30,000;

Aggregate, accounting.

In all, $1,540,000, to be immediately available and to be disbursed and accounted for as "Buildings and grounds, public schools", and for that purpose shall constitute one fund and remain available until expended: *Provided*, That no part of this appropriation shall be used for or on account of any school building not herein specified.

Proviso. Use restricted.

Sites designated.

For the purchase of school building and playground sites as follows:

For the purchase of land adjoining the site of the old Dennison School, to provide for the construction of an elementary school building;

Not exceeding $17,500 for the purchase of land for elementary school purposes in the vicinity of First and Pierce Street Northwest;

For the purchase of a site for elementary school purposes in the vicinity of Third Street and Concord Avenue Northwest;

For the purchase of additional land for an extension to the Margaret Murray Washington Vocational School;

For the purchase of additional land for the new Lenox Vocational School, adjacent to the site for said school now owned by the District of Columbia at Potomac Avenue between Thirteenth and Fourteenth Streets Southeast;

In all, $242,500.

Thomas Jefferson Memorial Junior High and Library. Sum available for acquiring site.

The unexpended balance of the appropriation of $200,000 contained in the District of Columbia Appropriation Act for the fiscal year 1932 for the erection of a new school building for the Jefferson Junior High School is hereby made available for the acquisition of a site in the area bounded by Seventh Street on the west and K Street on the south in Southwest Washington for a new building for the Thomas Jefferson Memorial Junior High School and Library.

Under age instruction prohibited.

No part of the foregoing appropriations for public schools shall be used for instructing children under five years of age except children entering during the first half of the school year who will be five years of age by November 1, 1937, and children entering during the second half of the school year who will be five years of age by March 15, 1938: *Provided*, That this limitation shall not be considered as preventing the employment of a matron and the care of children under school age at the Webster School whose parent or parents are in attendance in connection with Americanization work.

Proviso. Webster School, Americanization work excepted.

Building contracts, requirements.

None of the money appropriated by this Act shall be paid or obligated toward the construction of or addition to any building the whole and entire construction of which, exclusive of heating, lighting, plumbing, painting, and treatment of grounds, shall not have been awarded in one or a single contract, separate and apart from any other contract, project, or undertaking, to the lowest responsible bidder complying with all the legal requirements as to a deposit of money or the execution of a bond, or both, for the faithful perform-

ance of the contract: *Provided*, That nothing herein shall be construed as repealing existing law giving the Commissioners the right to reject all bids.

Proviso. Right to reject bids.

The plans and specifications for all buildings provided for in this Act under appropriations administered by the Commissioners of the District of Columbia shall be prepared under the supervision of the municipal architect, and those for school buildings after consultation with the Board of Education, and shall be approved by the Commissioners and shall be constructed in conformity thereto.

Preparation of plans

The school buildings authorized and appropriated for herein shall be constructed with all doors intended to be used as exits or entrances opening outward, and each of said buildings having in excess of eight rooms shall have at least four exits. Appropriations carried in this Act shall not be used for the maintenance of school in any building unless all outside doors thereto used as exits or entrances shall open outward and be kept unlocked every school day from one-half hour before until one-half hour after school hours.

Exit, etc, requirements.

METROPOLITAN POLICE

Metropolitan Police.

SALARIES

For the pay and allowances of officers and members of the Metropolitan Police force, in accordance with the Act entitled "An Act to fix the salaries of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia" (43 Stat., pp. 174–175), as amended by the Act of July 1, 1930 (46 Stat., pp. 839–841), including compensation at the rate of $2,100 per annum for the present assistant property clerk of the police department, $3,386,730.

Salaries, etc. 43 Stat. 174; 46 Stat. 839.

For personal services, $138,730.

Personal services.

MISCELLANEOUS

Miscellaneous.

For fuel, $7,300.

Fuel.

For repairs and improvements to police stations and station grounds, $12,500.

Repairs, etc.

For miscellaneous and contingent expenses, including rewards for fugitives, purchase of gas equipment and firearms, maintenance of card system, stationery, city directories, books of reference, periodicals, newspapers, telegraphing, telephoning, photographs, rental and maintenance of teletype system and labor-saving devices, telephone service charges, purchase, maintenance, and servicing of radio broadcasting systems, purchase of equipment, gas, ice, washing, meals for prisoners, medals of award, not to exceed $300 for car tickets, furniture and repair thereto, beds and bed clothing, insignia of office, police equipments and repairs to same, and mounted equipment, flags and halyards, storage and hauling of stolen or abandoned property, and traveling and other expenses incurred in prevention and detection of crime and other necessary expenses, including expenses of harbor patrol, $68,375, of which amount not exceeding $2,000 may be expended by the major and superintendent of police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided*, That the Commissioners are authorized to employ the electrician of the District Building to repair and test speedometers at such cost not exceeding $250 as they may approve, payment to be in addition to his regular compensation, and such services to be performed after regular working hours.

Contingent expenses.

Radio systems, etc.

Proviso. Speedometer repairs.

Motor vehicles, etc.

For purchase, exchange, and maintenance of passenger-carrying and other motor vehicles and the replacement of those worn out in the service and condemned, $67,300.

Uniforms.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the Metropolitan Police, including cleaning, alteration, and repair of articles transferred from one individual to another, $49,750.

House of Detention.

HOUSE OF DETENTION

Maintenance, etc.

For maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise, including transportation, the maintenance of necessary motor vehicles, clinic supplies, food, upkeep and repair of buildings, fuel, gas, ice, laundry, supplies and equipment, electricity, and other necessary expenses, $8,900; for personal services, $9,420; in all, $18,320.

Policemen and Firemen's Relief Fund.

POLICEMEN AND FIREMEN'S RELIEF

Payments from.

To pay the policemen and firemen's relief and other allowances as authorized by law, $1,015,000.

Fire Department.

FIRE DEPARTMENT

SALARIES

Salaries.

For the pay of officers and members of the fire department, in accordance with the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia" (43 Stat. 175), as amended by the Act of July 1, 1930 (46 Stat. 839–841), $2,211,900.

43 Stat. 175; 46 Stat. 839.

Personal services.

For personal services, $5,620.

Miscellaneous.

MISCELLANEOUS

Repairs, etc., to buildings.

For repairs and improvements to buildings and grounds, $20,000.

Uniforms.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the fire department, including cleaning, alteration, and repair of articles transferred from one individual to another, $23,000.

Repairs to apparatus, etc.

For repairs to apparatus, motor vehicles, and other motor-driven apparatus, fire boat and for new apparatus, new motor vehicles, new appliances, employment of mechanics, helpers, and laborers in the fire department repair shop, and for the purchase of necessary supplies, materials, equipment, and tools, $45,000: *Provided*, That the Commissioners are authorized, in their discretion, to build or construct, in whole or in part, fire-fighting apparatus in the fire department repair shop.

Proviso.
Construction at repair shop.

Hose.

For hose, $18,000.

Fuel.

For fuel, $23,500.

Contingent expenses.

For contingent expenses, furniture, fixtures, oil, blacksmithing, gas and electric lighting, flags, and halyards, medals of award, and other necessary items, $22,500.

New apparatus.

For additional fire-fighting apparatus, including three chiefs' automobiles, at not to exceed $1,200 each, $100,000.

HEALTH DEPARTMENT

Health Department.

SALARIES

Salaries.

For personal services, including not exceeding $19,360 for employees in the permit office and ambulance service, and not exceeding $16,880 for the inspection of all public establishments and employees where food is sold or served, $217,690.

Personal services.

PREVENTION OF CONTAGIOUS DISEASES

Prevention of contagious diseases.

For contingent expenses incident to the enforcement of the provisions of an Act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897 (29 Stat., pp. 635–641), and an Act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907 (34 Stat., pp. 889–890), and an Act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908 (35 Stat., pp. 126–127), under the direction of the health officer of said District, manufacture of serums, including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, and of an Act for the prevention of venereal diseases in the District of Columbia, and for other purposes, approved February 26, 1925 (43 Stat., pp. 1001–1003), and for maintenance of disinfecting service, including salaries or compensation for personal services, when ordered in writing by the Commissioners and necessary for the enforcement and execution of said Acts, and for the prevention of such other communicable diseases as hereinbefore provided, and purchase of reference books and medical journals, $43,830: *Provided*, That any bacteriologist employed under this appropriation may be assigned by the health officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary works as in the judgment of the health officer will promote the public health, whether such examinations be or be not directly related to contagious diseases.

Contingent expenses.

29 Stat. 635.

34 Stat. 889.

Tuberculosis registration.

35 Stat. 126.

Infantile paralysis.

Venereal diseases.

43 Stat. 1001.

Disinfecting service.

Proviso.

Bacteriological examination of milk, etc.

For the maintenance of a dispensary or dispensaries for the treatment of indigent persons suffering from tuberculosis and of indigent persons suffering from venereal diseases, including payment for personal services, rent, supplies, and contingent expenses, $45,380: *Provided*, That the Commissioners may accept such volunteer services as they deem expedient in connection with the establishment and maintenance of the dispensaries herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Tuberculosis and venereal dispensaries.

Provisos.

Volunteer services.

Compensation restriction.

Nursing service: For maintaining a nursing service, including personal services, uniforms, supplies, and contingent expenses, $143,440: *Provided*, That the Commissioners may accept such volunteer services as they deem expedient in connection with the maintenance of the nursing service herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or payment of any money on account of any such volunteer service.

Nursing service.

Provisos.

Volunteer services.

Compensation restriction.

For enforcement of the provisions of an Act to provide for the drainage of lots in the District of Columbia, approved May 19, 1896 (29 Stat., pp. 125–126), and an Act to provide for the abatement of nuisances in the District of Columbia by the Commissioners, and for other purposes, approved April 14, 1906, $1,000.

Drainage of lots, etc.

29 Stat. 125.

34 Stat. 114.

Hygiene, etc., public schools.

Hygiene and sanitation, public schools, salaries: For personal services in the conduct of hygiene and sanitation work in the public schools, including the necessary expenses of maintaining free dental clinics, and the establishment of one additional clinic, $111,060: *Provided*, That of the persons employed as medical inspectors one shall be a woman, four shall be dentists, and four shall be of the colored race, and that of the graduate nurses employed as public-school nurses three shall be of the colored race.

Free dental clinics

Proviso.
Medical inspectors and public-school nurses, division of.

Laboratories, maintenance.

For maintenance of laboratories, including reference books and periodicals, apparatus, equipment, and necessary contingent and miscellaneous expenses, $7,890.

Enforcing food, drugs, candy, etc., adulteration Act.
30 Stat. 246, 398.

For contingent expenses incident to the enforcement of an Act relating to the adulteration of foods and drugs in the District of Columbia approved February 17, 1898 (30 Stat., pp. 246–248), an Act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898 (30 Stat., p. 398), an Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906 (34 Stat., pp. 768–772), and an Act to regulate, within the District of Columbia, the sale of milk, cream, and ice cream, and for other purposes, approved February 27, 1925 (43 Stat., pp. 1004–1008), including traveling and other necessary expenses of dairy-farm inspectors, and car tokens and passes for nurses, sanitary inspectors and food inspectors; and including not to exceed $200 for special services in detecting adulteration of drugs and foods, including candy and milk, $7,000: *Provided*, That inspectors of dairy farms may receive an allowance for furnishing privately owned motor vehicles in the performance of official duties at the rate of not to exceed $312 per annum for each inspector.

34 Stat. 768.
Milk regulation.

43 Stat. 1004.

Proviso.
Dairy farm inspection, vehicle allowance.

Motor vehicles.

For maintenance and operation of motor ambulances and motor vehicles, $800.

Child welfare and hygiene.

Child welfare and hygiene: For maintaining a child-hygiene service, including the establishment and maintenance of child-welfare stations for clinical examinations, advice in the care of children under six years of age, payment for personal services, rent, fuel, periodicals, and supplies, $25,000: *Provided*, That the Commissioners may accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the service herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Provisos.
Volunteer services.

Compensation restriction.

Tuberculosis sanatoria; hereafter directed by Health Department.

For the following hospital and sanatoria, which, on and after July 1, 1937, shall be under the direction and control of the Health Department of the District of Columbia and subject to the supervision of the Board of Commissioners:

Personal services.

Tuberculosis Sanatoria: For personal services, $325,440.

Expenses.

For provisions, fuel, forage, harness, and vehicles, and repairs to same, gas, water, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, school books, classroom supplies, books of reference, and periodicals not to exceed $500, maintenance of motor trucks, and other necessary items, $203,000.

Repairs and improvements.

For repairs and improvements to buildings and grounds, including roads and sidewalks, $13,000.

Gallinger Hospital, personal services.

Gallinger Municipal Hospital: For personal services, including not to exceed $2,000 for temporary labor, $468,560, of which $13,000 shall be available for out-patient relief of the poor including medical and surgical supplies, artificial limbs, and pay of physicians.

For maintenance of the hospital; for maintenance of the quarantine station, smallpox hospital, and public crematorium, including expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; for maintenance and purchase of horses and horse-drawn vehicles; for medical books, books of reference, and periodicals not to exceed $500; for maintenance of non-passenger-carrying motor vehicles; and for all other necessary expenses, $270,000. Maintenance, etc.

For repairs and improvements to buildings and grounds, $4,500. Repairs, etc.

Purchase of books, musical instruments and music, expense of commencement exercises, entertainments, and inspection by New York State Board of Regents, and other incidental expenses of the training school for nurses, $600. Incidental expenses.

Medical charities: For care and treatment of indigent patients under contracts to be made by the Health Officer of the District of Columbia and approved by the Commissioners with the following institutions and for not to exceed the following amounts, respectively: Medical charities. Care, etc., indigent patients at designated hospitals.

Children's Hospital, $40,000.

Central Dispensary and Emergency Hospital, $65,000.

Eastern Dispensary and Casualty Hospital, $40,000.

Washington Home for Incurables, $10,000.

Health Center: For the construction on the site of the Jones Elementary School at First and L Streets Northwest, of a building for a Health Center, including necessary fixed equipment therefor, $165,000, of which sum $7,000 shall be available for preparation of plans and specifications, administration and inspection, including the employment of personal services without reference to the Classification Act of 1923, as amended: *Provided*, That all buildings belonging to the District of Columbia shall be under the jurisdiction and control of the Commissioners of said District. Health Center, construction, etc. Plans. *Proviso.* Jurisdiction over buildings.

COURTS

Courts.

JUVENILE COURT

Juvenile Court.

Salaries: For personal services, $65,800. Salaries.

Miscellaneous: For compensation of jurors, $2,000. Miscellaneous.

For fuel, ice, gas, laundry work, stationery, books of reference, periodicals, typewriters and repairs thereto, preservation of records, mops, brooms, and buckets, removal of ashes and refuse, telephone service, traveling expenses, meals of jurors and prisoners, repairs to courthouse and grounds, furniture, fixtures, and equipment, and other incidental expenses not otherwise provided for, $3,150. Contingent expenses.

The disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, sums of money not to exceed $50 at any one time, to be expended for transportation and traveling expenses to secure the return of absconding probationers, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia. Advances for returning absconding probationers.

POLICE COURT

Police Court.

Salaries: For personal services, $114,530. Salaries.

For law books, books of reference, directories, periodicals, stationery, rebinding of books, preservation of records, typewriters and repairs thereto, fuel, ice, gas, electric lights and power, telephone service, laundry work, removal of ashes and rubbish, mops, brooms, buckets, dusters, sponges, painter's and plumber's supplies, toilet Contingent expenses.

articles, medicines, soap and disinfectants, lodging and meals for jurors and bailiffs when ordered by the court, United States flags and halyards, and all other necessary and incidental expenses of every kind not otherwise provided for, $11,600, of which not exceeding $750 shall be available for telephone and telegraph service.

Witness fees and jurors' compensation.

For witness fees and compensation of jurors, $24,000.

New building, completion.

For completing construction of a building in Judiciary Square to house the Police Court of the District of Columbia, including furniture and equipment, and inspection, $450,000.

Municipal Court.

MUNICIPAL COURT

Salaries.

Salaries: For personal services, including compensation of five judges without reference to the limitation in this Act restricting salaries within the grade, $77,170.

Jurors.

For compensation of jurors, $6,000: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat., p. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

Proviso. Deposits for jury trial earned unless new date set, etc. 41 Stat. 1312.

Contingent expenses.

For contingent expenses, including books, law books, books of reference, fuel, light, telephone, lodging and meals for jurors, and for deputy United States marshals while in attendance upon jurors, when ordered by the court; fixtures, repairs to furniture, building and building equipment, and all other necessary miscellaneous items and supplies, $3,250.

District Court of the United States for the District of Columbia.

DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

Salaries.

Salaries: For the chief justice, eight associate justices, nine stenographers (one for the chief justice and one for each associate justice), and other personal services, $137,300.

Jurors and witnesses.

Fees of jurors and witnesses: For mileage and per diem of jurors, for mileage and per diem of witnesses and for per diem in lieu of subsistence, and payment of the expenses of witnesses in said court as provided by section 850, Revised Statutes (U. S. C., title 28, sec. 604), $85,000.

R. S. § 850. 28 U. S. C. § 604.

Bailiffs, etc.

For not exceeding twenty deputy marshals who act as bailiffs, clerks of jury commissioners, and per diems of jury commissioners, and for expenses of meals and lodging for jurors in United States cases, and of bailiffs in attendance upon same when ordered by the court, $37,400: *Provided*, That the compensation of each jury commissioner for the fiscal year 1938 shall not exceed $250.

Proviso. Jury commissioners.

Probation system.

Probation system: For personal services, $13,280; contingent expenses, $500; in all, $13,780.

Courthouse, care, etc.

Courthouse: For personal services for care and protection of the courthouse, under the direction of the United States marshal of the District of Columbia, $35,290, to be expended under the direction of the Attorney General.

Repairs, etc.

For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, $19,675, of which $9,000 shall be immediately available for changing electric wiring in said courthouse from direct to alternating current, to be expended under the direction of the Architect of the Capitol.

Court of Appeals.

COURT OF APPEALS

Salaries.

Salaries: For the chief justice and four associate justices, marshal, $3,600, whose appointment is hereby authorized, five law clerks at

$2,500 each, and all other officers and employees of the court; reporting service; and not to exceed $520 for necessary expenditures in the conduct of the clerk's office; in all, $115,400: *Provided*, That the reports of the court shall not be sold for a price exceeding that approved by the court and for not more than $6.50 per volume.

Proviso. Sale of reports.

Building: For personal services for care and protection of the United States Court of Appeals Building, including one mechanician, under the direction of the Architect of the Capitol, $8,340: *Provided*, That the clerk of the court of appeals shall be the custodian of said building, under the direction and supervision of the justices of said court.

Care, etc., of building.

Proviso. Custodian.

For mops, brooms, buckets, disinfectants, removal of refuse, electrical supplies, books, and all other necessary and incidental expenses not otherwise provided for, $660.

Incidental expenses.

For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, $4,500, of which $3,000 shall be immediately available for changing electric wiring in said building from direct to alternating current, to be expended under the direction of the Architect of the Capitol.

Building repairs, etc.

MISCELLANEOUS

Miscellaneous.

Support of convicts: For support, maintenance, and transportation of convicts transferred from District of Columbia; expenses of shipping remains of deceased convicts to their homes in the United States, and expenses of interment of unclaimed remains of deceased convicts; expenses incurred in identifying and pursuing escaped convicts and rewards for their recapture; and discharge gratuities provided by law, $71,200.

Support of convicts.

Writs of lunacy: For expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to Saint Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, $1,000.

Lunacy writs. Expenses of execution, etc.

Miscellaneous court expenses: For such miscellaneous expenses as may be authorized by the Attorney General for the District Court of the United States for the District of Columbia and its officers, including the furnishing and collecting of evidence where the United States is or may be a party in interest, and including such expenses other than for personal services as may be authorized by the Attorney General for the United States Court of Appeals, District of Columbia, $25,000.

Miscellaneous court expenses.

Printing and binding: For printing and binding for the District Court of the United States for the District of Columbia, $3,000, and the United States Court of Appeals of the District of Columbia, $3,000, except records and briefs in cases in which the United States is a party; in all, $6,000.

Printing and binding.

PUBLIC WELFARE

Public Welfare.

BOARD OF PUBLIC WELFARE

Board of Public Welfare.

For personal services, $97,740.

DIVISION OF CHILD WELFARE

Child Welfare Division.

Administration: For administrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding $50, and all office and sundry expenses,

Administrative expenses.

Restriction on expenditure

$3,500, and no part of the money herein appropriated shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside the District of Columbia and the States of Virginia and Maryland; and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and that said Board shall have power, upon proper showing, in its discretion, to discharge from guardianship any child committed to its care.

Board, etc., of children.

For board and care of all children committed to the guardianship of said Board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than $1,500 each to institutions under sectarian control and not more than $400 for burial of children dying while under charge of the Board, $275,000.

Home care of dependent children.
44 Stat. 758.

To carry out the purposes of the Act entitled "An Act to provide home care for dependent children in the District of Columbia", approved June 22, 1926 (44 Stat., pp. 758–760), including not to exceed $13,060 for personal services in the District of Columbia, $163,000: *Provided*, That this appropriation shall be so apportioned by the Commissioners as to prevent a deficiency therein, and no more than $100 per month shall be paid therefrom to any one family and no more than $400 shall be paid for burial of children dying while beneficiaries under said Act.

Proviso.
Apportionment restrictions.

Receiving home for children under seventeen.
Maintenance, etc.

For the maintenance, under the jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under seventeen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witnesses, or held temporarily, or pending hearing, or otherwise, including transportation, food, clothing, medicine, and medicinal supplies, rental, repair and upkeep of buildings, fuel, gas, electricity, ice, supplies and equipment, and other necessary expenses including not to exceed $19,120 for personal services, $38,000.

Advances to director.

The disbursing officer of the District of Columbia is authorized to advance to the director of public welfare, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as may be required of said director by the Commissioners, sums of money not to exceed $400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the board, and for office and sundry expenses, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

Limitation.

Jail.

JAIL

Salaries.

Salaries: For personal services, $86,600.

Maintenance, etc., of prisoners.

For maintenance and support of prisoners of the District of Columbia at the jail, expenses incurred in identifying and pursuing escaped prisoners and rewards for their capture; repair and improvements to buildings, cells, and locking devices; newspapers, books, and periodicals not to exceed $100; purchase including exchange of one truck, $700; maintenance of non-passenger-carrying motor vehicle; purchase of one motor-driven extractor, $2,200; and expense of electrocutions, $84,900.

Workhouse and Reformatory.

GENERAL ADMINISTRATION, WORKHOUSE AND REFORMATORY, DISTRICT OF COLUMBIA

Personal services.

For personal services, $442,640.

Maintenance, etc.

For maintenance, care, and support of inmates, rewards for fugitives, discharge gratuities provided by law, medical supplies, news-

papers, books, books of reference and periodicals, farm implements, tools, equipment, transportation expenses, purchase and maintenance of livestock and horses; purchase, exchange, maintenance, operation, and repair of non-passenger-carrying vehicles and motor bus; purchase of one bus, including exchange, for transportation of prisoners, $7,500; fuel for heating, lighting, and power, and all other necessary items, including uniforms and caps for guards, $437,500.

Repairs to buildings, etc.

For repairs to buildings and grounds, and maintenance of utilities, marine and railroad transportation facilities, and mechanical equipment not used in industrial enterprises, $22,000.

Electric system, improvements.

For replacing defective electric wiring and equipment of distribution system with underground construction at the District of Columbia penal institutions at Lorton and Occoquan, and moving electric generators from powerhouse at Occoquan to powerhouse at Lorton, $29,000.

Working capital fund.

To provide a working capital fund for such industrial enterprises as may be approved by the Commissioners of the District of Columbia, $30,000: *Provided*, That the various departments and institutions of the District of Columbia and the Federal Government may purchase, at fair market prices, as determined by the Commissioners, such surplus products and services as meet their requirements; receipts from the sale of products and services shall be deposited to the credit of said working capital fund, and said fund, including all receipts credited thereto, shall be used as a revolving fund for the fiscal year 1938 for the purchase and repair of machinery, tools, and equipment, purchase of raw materials and manufacturing supplies, purchase, maintenance, and operation of non-passenger-carrying vehicles, purchase and maintenance of horses, and purchase of fuel for manufacturing purposes; for freight, personal services, and all other necessary expenses; and for the payment to inmates or their dependents of such pecuniary earnings as the Commissioners may deem proper.

Proviso.
Purchase of services and products.

Receipts deposited as a revolving fund.

Availability.

Buildings for women, construction, etc.

For continuing construction of permanent buildings for women, including sewers, water mains, and other necessary utilities, $45,000.

Advances for returning escaped prisoners.

The disbursing officer of the District of Columbia is authorized to advance to the general superintendent of penal institutions, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said superintendent, sums of money not exceeding $300 at one time, to be used only for expenses in returning escaped prisoners, conditional releasees, and parolees, payable from the maintenance appropriations for the workhouse and reformatory, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

NATIONAL TRAINING SCHOOL FOR BOYS

National Training School for Boys.

Care, etc., of boys committed to.

For care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the authorities of said National Training School for Boys, $150,000.

NATIONAL TRAINING SCHOOL FOR GIRLS

National Training School for Girls.

Salaries and expenses.

Salaries: For personal services, $31,500.

For groceries, provisions, light, fuel, clothing, shoes, forage and farm supplies; medicine, medical service, including not to exceed $2,000 for medical care and not to exceed $600 for dental care; transportation, maintenance of non-passenger-carrying vehicles; equipment, fixtures, books, magazines, and other educational supplies; recreational equipment and supplies, including rental of

motion-picture films; stationery, postage; repairs; and other necessary items, including not exceeding $2,500 for additional labor and services on a per diem basis; funds for foster home placement of girls approved for such treatment by the Board of Public Welfare not to exceed $1,000, and other necessary expenses incident to securing suitable homes for paroled or discharged girls, $30,000.

Foster home placement.

Securing homes for paroled girls.

Buildings, construction, repair, etc.
49 Stat. 1879.

The unexpended balance of the appropriation of $100,000 contained in the District of Columbia Appropriation Act for the fiscal year 1937 for the construction, repair, improvement, and extension of buildings at the National Training School for Girls, in accordance with plans to be approved by the Municipal Architect and the Commissioners; and for additional personnel and maintenance at that institution is hereby continued available during the fiscal year 1938.

Columbia Hospital, etc.

COLUMBIA HOSPITAL AND LYING-IN ASYLUM

Repairs, etc.

For general repairs, including labor and material, to be expended in the discretion and under the direction of the Architect of the Capitol, $5,000.

District Training School.

DISTRICT TRAINING SCHOOL

Personal services.

For personal services, including not to exceed $1,000 for temporary labor, $104,270.

Maintenance, etc.

For maintenance and other necessary expenses, including the maintenance of non-passenger-carrying motor vehicles, the purchase and maintenance of horses and wagons, farm machinery and implements, and not to exceed $300 for the purchase of books, books of reference, and periodicals, $97,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, including improvements to the power and lighting system, $17,500.

Truck.

For the purchase, including exchange, of one three-ton dump truck, $2,500.

New building, construction.

For construction of a hospital and administration building, including purchase of furniture and equipment, $175,000, of which sum $4,000 shall be available for preparation of plans, specifications, and administration.

Industrial Home School for Colored Children.

INDUSTRIAL HOME SCHOOL FOR COLORED CHILDREN

Salaries.

Salaries: For personal services, $37,760; temporary labor, $500; in all, $38,260.

Maintenance, etc.

For maintenance, including purchase and maintenance of farm implements, horses, wagons, and harness, maintenance of non-passenger-carrying motor vehicles, not to exceed $1,250 for manual-training equipment and materials, and not to exceed $2,000 for laundry machinery, $25,500.

Repairs, etc.

For repairs and improvements to buildings and grounds, $4,500.

Vocational building, construction.

For construction of a vocational building, such work to be performed by day labor or otherwise in the discretion of the Commissioners, $15,000.

Industrial Home School.

INDUSTRIAL HOME SCHOOL

Salaries.

Salaries: For personal services, $24,780; temporary labor, $1,000; in all, $25,780.

Maintenance.

For maintenance, including purchase of equipment, maintenance of non-passenger-carrying motor vehicles, $23,000.

Repairs, etc.

For repairs and improvements to buildings and grounds, $2,500.

Home for Aged and Infirm.

HOME FOR AGED AND INFIRM

Salaries.

Salaries: For personal services, $64,400; temporary labor, $2,000; in all, $66,400.

Contingent expenses.

For provisions, fuel, forage, harness, and vehicles and repairs to same, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, and maintenance of non-passenger-carrying motor vehicles, $78,000.

Repairs, etc.; day labor.

For repairs and improvements to buildings and grounds, such work to be performed by day labor or otherwise in the discretion of the Commissioners, $4,500.

Truck.

For the purchase, including exchange, of one three-ton dump truck, $2,500.

Heating plant, improvements.

For purchase and installation of an additional boiler for the heating plant, $15,750.

MUNICIPAL LODGING HOUSE

Municipal Lodging House.

For personal services, $3,600; maintenance, $4,000; in all, $7,600.

PUBLIC ASSISTANCE

Public assistance.

Relief of the unemployed, etc.

For the purpose of affording relief to residents of the District of Columbia who are unemployed or otherwise in distress because of the existing emergency, to be expended by the Board of Public Welfare of the District of Columbia by employment and direct relief, in the discretion of the Board of Commissioners and under rules and regulations to be prescribed by the board and without regard to the provisions of any other law, payable from the revenues of the District of Columbia, $1,411,500, and not to exceed 10 per centum of this appropriation and of Federal grants reimbursed under this appropriation shall be expended for personal services: *Provided*, That all auditing, disbursing, and accounting for funds administered through the Public Assistance Division of the Board of Public Welfare, including all employees engaged in such work and records relating thereto, shall be under the supervision and control of the Auditor of the District of Columbia.

From District revenues.

Proviso.
Supervision of accounts, etc.

Old-age assistance.
49 Stat. 747.
Post, p. 760.

Assistance against old-age want: To carry out the provisions of the Act entitled "An Act to amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want", approved August 24, 1935 (49 Stat., p. 747), including not to exceed $32,265 for personal services and other necessary expenses, $428,265.

Pensions for the needy blind.
49 Stat. 744.

Pensions for needy blind persons: To carry out the provisions of the Act entitled "An Act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor", approved August 24, 1935 (49 Stat., p. 744), $36,645.

TEMPORARY HOME FOR FORMER SOLDIERS AND SAILORS

Temporary home for former soldiers and sailors.
Personal services, maintenance, etc.

For personal services, $4,620; maintenance, $11,750; and repairs to buildings and grounds, $1,000; in all, $17,370, to be expended under the direction of the Commissioners; and former Union soldiers, sailors, or marines of the Civil War, former soldiers, sailors, or marines of the Spanish War, Philippine Insurrection, or China relief expedition, and former soldiers, sailors, or marines of the World War or who served prior to July 2, 1921, shall be admitted to the home, all under the supervision of a board of management.

FLORENCE CRITTENTON HOME

Florence Crittenton Home.

For care and maintenance of women and children under a contract to be made with the Florence Crittenton Home by the Board of Public Welfare, maintenance, $9,000.

SOUTHERN RELIEF SOCIETY

Southern Relief Society, for needy Confederate veterans, etc.

For care and maintenance of needy and infirm Confederate veterans, their widows and dependents, residents in the District of Columbia, under a contract to be made with the Southern Relief Society by the Board of Public Welfare, $10,000.

NATIONAL LIBRARY FOR THE BLIND

National Library for the Blind.

For aid and support of the National Library for the Blind, located at 1800 D Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, $5,000.

COLUMBIA POLYTECHNIC INSTITUTE

Columbia Polytechnic Institute.

To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, $3,000.

Saint Elizabeths Hospital.

SAINT ELIZABETHS HOSPITAL

Support of District insane.

For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, $2,325,780.

NONRESIDENT INSANE

Deportation of nonresident insane.
30 Stat. 811.

For deportation of nonresident insane persons, in accordance with the Act of Congress "to change the proceedings for admission to the Government Hospital for the Insane in certain cases, and for other purposes", approved January 31, 1899, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, $12,000.

Advances authorized to Director of Public Welfare.

In expending the foregoing sum the disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said Director, sums of money not exceeding $300 at one time, to be used only for deportation of nonresident insane persons, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

Limit.

Ex-service men.

BURIAL OF EX-SERVICE MEN

Burial of indigent.

For expenses of burying in the Arlington National Cemetery, or in the cemeteries of the District of Columbia, indigent Union ex-soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been honorably discharged or retired, and who died in the District of Columbia, to be disbursed by the Secretary of War at a cost not exceeding $45 for such burial expenses in each case, exclusive of cost of grave, $270.

TRANSPORTATION OF INDIGENT PERSONS

Transportation of indigent persons.

For transportation of indigent persons, including indigent veterans of the World War and their families, $3,500.

VOCATIONAL REHABILITATION

Vocational rehabilitation of disabled residents.
45 Stat. 1260.

Vocational rehabilitation of disabled residents, District of Columbia: To carry out the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes", approved February 23, 1929 (45 Stat., p. 1260), $25,000.

MILITIA

Militia.

Expenses authorized, under commanding general.

For the following, to be expended under the authority and direction of the commanding general, who is hereby authorized and empowered to make necessary contracts and leases, namely:

Personal services. Expenses of camps, etc.

For personal services, $21,500; temporary labor, $5,800; for expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments, not to exceed $500; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; fuel, light, heat, care, and repair of armories, offices, and storehouses; machinery and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; telephone service; printing, stationery, and postage; horses and mules for mounted organizations; maintenance and operation of passenger and non-passenger-carrying motor vehicles; street-car fares (not to exceed $200) necessarily used in the transaction of official business; not exceeding $400 for traveling expenses, including attendance at meetings or conventions of associations pertaining to the National Guard; and for general incidental expenses of the service, $15,480; in all, $42,780.

ANACOSTIA RIVER AND FLATS

Anacostia Park.

Continuing development.

For continuing the reclamation and development of Anacostia Park, in accordance with the revised plan as set forth in Senate Document Numbered 37, Sixty-eighth Congress, first session, $50,000.

NATIONAL CAPITAL PARKS

National Capital Parks.

SALARIES, PUBLIC PARKS, DISTRICT OF COLUMBIA

Personal services.

For personal services, $351,910.

GENERAL EXPENSES, PUBLIC PARKS

Public parks.

Maintenance and general expenses.

General expenses: For general expenses in connection with the maintenance, care, improvement, furnishing of heat, light, and power of public parks, grounds, fountains and reservations, propagating gardens and greenhouses under the jurisdiction of the National Park Service, including the tourists' camp on its present site in East Potomac Park, and including personal services of seasonal or intermittent employees at per-diem rates of pay approved by the Director, not exceeding current rates of pay for similar employment in the District of Columbia; placing and maintaining portions of the parks in condition for outdoor sports and for expenses incident to the conducting of band concerts in the parks; the hire of draft animals with or without drivers at local rates approved by the Director; the purchase and maintenance of draft animals, harness, and wagons; contingent expenses; city directories; communication service; carfare; traveling expenses; professional, scientific, technical, and law books; periodicals and reference books, blank books and forms; photographs; dictionaries and maps; leather and rubber articles for the protection of employees and property; the main-

tenance, repair, exchange, and operation of not to exceed two motor-propelled passenger-carrying vehicles and all necessary bicycles, motorcycles, and self-propelled machinery; the purchase, maintenance, and repair of equipment and fixtures, and so forth, $382,500: *Provided*, That not to exceed $10,000 of the amount herein appropriated may be expended for the erection of minor auxiliary structures.

Proviso. Minor auxiliary structures.

Park police.

PARK POLICE

Salaries. 43 Stat. 175; 44 Stat. 834; 46 Stat. 839.

Salaries: For pay and allowances of the United States park police force, in accordance with the Act approved May 27, 1924, as amended, $175,470.

Uniforms, equipment, etc.

For uniforming and equipping the United States park police force, including the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, bicycles, and motor-propelled passenger-carrying vehicles, uniforms, ammunition, and radio equipment, $9,000.

National Capital Park and Planning Commission.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Reimbursement to United States for lands acquired. 46 Stat. 485.

For reimbursement to the United States in compliance with section 4 of the Act approved May 29, 1930 (46 Stat., p. 482), as amended, $300,000.

Incidental expenses.

For each and every purpose, except the acquisition of land, requisite for and incident to the work of the National Capital Park and Planning Commission as authorized by the Act entitled "An Act providing for a comprehensive development of the park and playground system of the National Capital", approved June 6, 1924 (U. S. C., title 40, sec. 71), as amended, including personal services in the District of Columbia, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, not to exceed $1,000 for printing and binding, not to exceed $500 for traveling expenses and carfare of employees of the Commission, and not to exceed $300 for professional, scientific, technical, and reference books, and periodicals, $40,150: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), when the aggregate amount involved does not exceed $50: *Provided further*, That a statement of expenditures from this appropriation shall be reported to Congress in the annual Budget.

43 Stat. 463. 40 U. S. C. § 71.

Provisos. Minor purchases, etc. R. S. § 3709. 41 U. S. C. § 5. Statement of expenditures to Congress.

National Zoological Park.

NATIONAL ZOOLOGICAL PARK

Expenses.

For roads, walks, bridges, water supply, sewerage, and drainage; grading, planting, and otherwise improving the grounds, erecting and repairing buildings and enclosures; care, subsistence, purchase, and transportation of animals; necessary employees; traveling and incidental expenses not otherwise provided for, including not to exceed $2,000 for travel and field expenses in the United States and foreign countries for the procurement of live specimens and for the care, subsistence, and transportation of specimens obtained in the course of such travel; maintenance and operation of one motor-propelled passenger-carrying vehicle required for official purposes; for the purchase, issue, operation, maintenance, repair, and exchange of bicycles and non-passenger-carrying motor vehicles, revolvers, and ammunition; not exceeding $2,500 for purchasing and supplying uniforms to park police, keepers, and assistant keepers; not exceeding $100 for the purchase of necessary books and periodicals, $225,000, no part of which sum shall be available for architect's fees or compensation.

STREET AND ROAD IMPROVEMENT AND REPAIR

Street and road improvement.

Personal services; payable from gasoline tax fund.
43 Stat. 106.

For personal services, $251,000, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments.

GASOLINE TAX, ROAD AND STREET IMPROVEMENTS AND REPAIRS

Gasoline tax, road and street fund.

Paving, etc., streets and roads from.

For paving, repaving, grading, and otherwise improving streets, avenues, and roads, including temporary per diem services, surveying instruments and implements, and drawing materials, and the maintenance of motor vehicles used in this work, including curbing and gutters and replacement of curb-line trees where necessary, and including trees and parkings, assessment and permit work and the several purposes provided for in that paragraph, as follows, to be paid from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments:

43 Stat. 106.

Improvements designated.

For paving, repaving, and surfacing, including curbing and gutters where necessary, the following:

Southeast: Branch Avenue, Alabama Avenue to Denver Street, $26,000;

Southeast: Minnesota Avenue, Pennsylvania Avenue to Twenty-seventh Street, $10,000;

Northeast: Fenwick Street, New York Avenue to West Virginia Avenue, $18,000;

Northeast: Franklin Street, Michigan Avenue to Lincoln Road, $16,500;

Northwest: New Hampshire Avenue, Buchanan Street to North Capitol Street, $96,000;

Seventeenth Street, N. W.
Widening, Pennsylvania Avenue to H Street.
Proviso.
Assessment of cost.

Northwest: For widening to seventy feet and repaving the roadway of Seventeenth Street, from Pennsylvania Avenue to H Street, including the necessary replacement and relocation of sewers, water mains, fire-alarm and police-patrol boxes, $23,500: *Provided*, That in widening and repaving this roadway 40 per centum of the entire cost thereof shall be assessed against and collected from the owners of the abutting property in the manner provided in the Act approved February 20, 1931 (46 Stat., pp. 1197–1199). The owners of abutting property also shall be required to modify, at their own expense, the roofs of any vaults that may be under the sidewalks or parking on said street if it be found necessary to change such vaults to permit of the roadway being widened:

46 Stat. 1197.

Modification of vaults under sidewalks, etc.

Southeast.

Southeast: Denver Street, Branch Avenue to Thirty-fourth Street, $15,000;

Southeast: Sixteenth Street, Ridge Place to Q Street, $10,500;

Southeast: Nineteenth Street, Minnesota Avenue to P Street, $10,500;

Southeast: R Street, Sixteenth Street to Seventeenth Street, $8,300;

Southeast: Q Street, Sixteenth Street to Seventeenth Street, $8,300;

Southeast: Q Street, Nineteenth Street to Minnesota Avenue, $3,800;

Southeast: P Street, Eighteenth Place to Nineteenth Street, $4,500;

Southeast: Eighteenth Place, Fairlawn Avenue to P Street, $7,500;

Northeast.

Northeast: Seventeenth Street, C Street to E Street, $12,000;

Northeast: D Street, Seventeenth Street to Eighteenth Street, $9,000;

Northeast: Eighteenth Street, C Street to D Street, $7,500;

Northeast: E Street, Sixteenth Street to Seventeenth Street, $4,800;
Northeast: Holbrook Street, Morse Street to Neal Street, $6,100;
Northeast: Seventeenth Place, K Street to L Street, $5,400;
Northeast: Seventeenth Street, K Street to M Street, $15,000;
Northeast: Lang Street, Seventeenth Street eastward, $3,000;
Northeast: Lyman Street, Seventeenth Street eastward, $3,600;
Northeast: R Street, Bladensburg Road eastward, $10,500;
Northeast: Evarts Street, Twenty-second Street to Twenty-fourth Street, $8,300;
Northeast: Nineteenth Street, South Dakota Avenue to Bunker Hill Road, $14,000;
Northeast: Randolph Street, Eighteenth Street to Twentieth Street, $16,500;
Northeast: South Dakota Avenue, Eighteenth Street to Nineteenth Street, $21,900;
Northeast: South Dakota Avenue, Fourteenth Street southward, $14,000;
Northeast: Thirteenth Place, Taylor Street to Michigan Avenue, $5,300;
Northeast: Taylor Street, Michigan Avenue to Fourteenth Street, $10,000;

Northwest.

Northwest: Crittenden Street, New Hampshire Avenue to Fourth Street, $5,300;
Northwest: Third Place, Crittenden Street to Decatur Street, $4,600;
Northwest: Decatur Street, New Hampshire Avenue to Fourth Street, $9,000;
Northwest: Fourth Street, Decatur Street to Emerson Street, $6,800;
Northwest: Delafield Place, Third Street to Fourth Street, $6,800;
Northwest: Third Street, New Hampshire Avenue to Emerson Street, $10,500;
Northwest: Third Street, Farragut Street to Kansas Avenue, $28,500;
Northwest: Gallatin Street, Third Street to Fourth Street, $7,500;
Northwest: Hamilton Street, New Hampshire Avenue to Kansas Avenue, $20,500;
Northwest: Second Street, New Hampshire Avenue to Hamilton Street, $11,300;
Northwest: Farragut Street, New Hampshire Avenue to First Street, $4,500;
Northwest: First Street, Concord Avenue to Longfellow Street, $10,500;
Northwest: Powhatan Place, Fifth Street to Seventh Street, $9,100;
Northwest: Sixth Street, Tuckerman Street to Van Buren Street, $8,200;
Northwest: Seventh Street, Tewksbury Place to Whittier Street, $17,300;
Northwest: Oglethorpe Street, Seventh Street to Eighth Street, $6,800;
Northwest: Gallatin Street, Georgia Avenue to Ninth Street, $7,500;
Northwest: Western Avenue, Rittenhouse Street to Broad Branch Road, $24,200;
Northwest: Elder Street, Seventh Street to Eighth Street, $6,000;

Grading; culverts.

For grading streets, alleys, and roads, including construction of necessary culverts and retaining walls, $50,000;

For paving the unpaved center strips of paved roadways, $5,000; Paving center strips.

For minor changes in roadway and sidewalks on plans to be approved by the Commissioners of the District of Columbia to facilitate vehicular and pedestrian traffic, $5,000; Minor changes in roadways, etc.

For construction of curbs and gutters, or concrete shoulders in connection with all forms of macadam roadways and adjustment of roadways thereto, together with resurfacing and replacing of base of such roadways where necessary, $200,000; Curbs and gutters, shoulders, etc.

For the surfacing and resurfacing or replacement of asphalt, granite block, or concrete pavements with the same or other approved material, $450,000; Surfacing, etc., pavements.

For construction, maintenance, operation, and repair of bridges, $54,540; Bridges, construction, repair, etc.

For current work of repairs to streets, avenues, roads, and alleys, including the reconditioning of existing gravel streets and roads; for cleaning snow and ice from streets, sidewalks, cross walks, and gutters in the discretion of the Commissioners; and including the purchase, exchange, maintenance, and operation of non-passenger-carrying motor vehicles used in this work, $900,000: *Provided*, That appropriations contained in this Act for highways, sewers, city refuse, and the water department shall be available for snow removal when specifically and in writing ordered by the Commissioners: *Provided further*, That the Commissioners of the District of Columbia, should they deem such action to be to the advantage of the District of Columbia, are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed $30,000. Street, etc., repairs. *Provisos.* Snow removal. Purchase of asphalt plant authorized.

This appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act, approved January 14, 1933 (47 Stat., p. 752). The proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to pay, from the said street-railway company in the manner provided by section 5 of "An Act providing a permanent form of government for the District of Columbia", approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected; Street railways, pavements. 47 Stat. 752. Proportion of expenses chargeable to railway company. 20 Stat. 105.

For completing the replacement of the superstructure, and such portions of the substructure as may be necessary, including relocation and reconstruction of approach roads of the Chain Bridge in accordance with plans and profiles to be approved by the Commissioners of the District of Columbia, including personal services, engineering and incidental expenses, $143,000; and the Commissioners are authorized to enter into contract or contracts for the completion of said bridge at a cost not to exceed $393,000; Chain Bridge, replacement of superstructure, etc. Contracts authorized.

For the preparation of studies, preliminary plans and surveys, estimates, and investigations of foundation conditions (1) for a highway, including the necessary bridges, across Rock Creek Park to provide a direct connection between Sixteenth Street and Connecticut Avenue at a location near or north of Klingle Road, (2) for a through or bypass highway in Georgetown in the general line of K Street and Canal Road Northwest, between Twenty-seventh Street and Foxhall Road, including the necessary bridges, viaducts, grade-separation structures, and connections to Key Bridge, (3) for a redesign and changes in Dupont, Scott, and Thomas Circles, including adjacent public space, to meet present and future traffic and transportation needs, including the necessary underpasses, curb and roadway changes, street-railway-track relocation and changes and addition to underground structures, and including the employ- Surveys, etc., for designated highways and bypasses.

R. S. § 3709. 41 U. S. C. § 5.

ment of engineering or other professional services, by contract or otherwise, and without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), or the Classification Act of 1923, as amended, and engineering and incidental expenses, $30,000;

Opening streets, etc., permanent highway system.

To carry out the provisions of existing law which authorize the Commissioners of the District of Columbia to open, extend, straighten, or widen any street, avenue, road, or highway, in accordance with the plan of the permanent system of highways for the District of Columbia, including the procurement of chains of title, $150,000, to remain available until June 30, 1939: *Provided*, That this appropriation shall be available to carry out the provision of existing law for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia;

Proviso. Alley improvements, building lines, etc.

Assessment and permit work.

For assessment and permit work, paving of roadways under the permit system, and construction and repair of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, and including maintenance of non-passenger-carrying motor vehicles, $150,000;

For personal services, trees and parkings, $26,600;

Trees and parkings.

For contingent expenses, trees and parkings, including laborers, trimmers, nurserymen, repairmen, teamsters, hire of carts, wagons, or motor trucks, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees, and tree spaces on city and suburban streets, purchase and maintenance of non-passenger-carrying motor vehicles, and miscellaneous items, $100,000;

Disbursements, etc.

In all, not to exceed $2,894,340, to be immediately available; to be disbursed and accounted for as "Gasoline tax, road, and street improvements and repairs", and for that purpose shall constitute one fund: *Provided*, That assessments in accordance with existing law shall be made for paving and repaving roadways, alleys, and sidewalks where such roadways, alleys, and sidewalks are paved or repaved with funds derived from the collection of the tax on motor-vehicle fuels and accretions by repayment of assessments: *Provided further*, That any portion of this appropriation (Gasoline tax, road and street improvements and repairs) may be used for payment to contractors and for other expenses in connection with the expense of design, construction, and inspection of grade-crossing elimination projects authorized under section 8 of Act of Congress, Public Law Numbered 686, Seventy-fourth Congress, approved June 16, 1936, pending reimbursement to the District of Columbia by the Department of Agriculture, reimbursement to be credited to fund from which payment was made.

Provisos. Assessments under existing law.

Use, grade crossing elimination projects.

49 Stat. 1521.

Minor changes in sidewalks and roadways.

The Commissioners of the District of Columbia are authorized and empowered, in their discretion, to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act.

Open competition for street improvement contracts.

No part of any appropriation contained in this Act shall be available for repairing, resurfacing, or newly paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving material as well as in price.

Repairs for inferior work by contractors required for additional period.

In addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners of the Dis-

trict of Columbia shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

Use for testing laboratory, etc., forbidden.

No part of the appropriations contained in this Act shall be used for the operation of a testing laboratory of the highways department for making tests of materials in connection with any activity of the District government.

WATER SERVICE

Water Service.

From water revenues.

The following sums are appropriated wholly out of the revenues of the water department for expenses of the Washington aqueduct and its appurtenances and for expenses for water department, namely:

WASHINGTON AQUEDUCT

Washington Aqueduct.

Maintenance, etc., of, and accessories.

For operation, including salaries of all necessary employees, maintenance and repair of Washington aqueducts and their accessories, including Dalecarlia, Georgetown, McMillan Park, first and second High Service Reservoirs, Washington aqueduct tunnel, the filtration plants, the pumping plants and the plant for the preliminary treatment of the water supply, ordinary repairs, grading, opening ditches, and other maintenance of Conduit Road, purchase, installation, and maintenance of water meters on Federal services; purchase, care, repair, and operation of vehicles, including the purchase and exchange of one passenger-carrying motor vehicle at a cost not to exceed $650; purchase and repair of rubber boots and protective apparel, and for each and every purpose connected therewith, $540,000, including $40,000 for emergency repairs caused by the floods of the Potomac River in March 1936 and April 1937.

Meters on Federal services.

Emergency repairs.

Superintendence of Secretary of War not affected.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington Aqueduct, its rights, appurtenances, and fixtures connected with the same and over appropriations and expenditures therefor as now provided by law.

Revenue inspection and distribution branches.

For revenue and inspection and distribution branches: For personal services, $179,670.

Operating expenses.

For the maintenance of the water department distribution system, including pumping stations and machinery, water mains, valves, fire and public hydrants, and all buildings and accessories, and motor trucks, and motor vehicles such as are now owned, and the replacement by purchase and exchange of the following motor-propelled vehicles: One two-passenger coupe and one five-passenger sedan at not to exceed $600 each; three station wagons at not to exceed $750 each; one truck at not to exceed $500; four trucks at not to exceed $750 each; one truck at not to exceed $800; one truck at not to exceed $3,300; and one special truck at not to exceed $3,500; and the purchase of the following additional motor vehicles: five trucks at not to exceed $750 each; purchase of fuel, oils, waste, and other materials, and the employment of all labor necessary for the proper execution of this work; and for contingent expenses, including books, blanks, stationery, printing and binding not to exceed $2,500; postage, purchase of technical reference books and periodicals not to exceed $275, and other necessary items, $7,500; in all for maintenance, $367,800, of which not exceeding $5,000 shall be available for operation of pumps at Bryant Street pumping station upon interruption of service from Dalecarlia pumping station.

Extension of distribution system.

For extension of the water department distribution system, laying of such service mains as may be necessary under the assessment system, $300,000.

Meters.

For installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, as may be directed by the Commissioners; said meters at all times to remain the property of the District of Columbia, $220,000.

Hydrants.

For installing fire and public hydrants, $22,500.

Replacement of old mains, etc.

For replacement of old mains and divide valves in various locations, on account of inadequate size and bad condition of pipe on account of age, and laying mains in advance of pavements, $135,000.

Investment of water funds.

The Treasurer of the United States is authorized to invest in United States securities for the account of the water fund of the District of Columbia such funds as may be determined by the Commissioners to be available for that purpose during the fiscal year 1938, and such funds are appropriated for this purpose from the revenues of the Water Department.

New mains.

For the construction of approximately seven thousand six hundred feet of thirty-six inch trunk line water main from the vicinity of First and L Streets Northwest to the vicinity of East Capitol and Second Streets, $171,000; for the construction of approximately three thousand and eighty feet of twenty-four, thirty, and forty-eight inch trunk water main in the vicinity of Washington Circle, including minor changes in present construction, $85,000; in all, $256,000, to be paid wholly from the revenues of the Water Department and to be disbursed and accounted for as "Mains, Water Department, District of Columbia", and for that purpose shall constitute one fund.

Refunds of erroneous charges.

For the refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes, $3,500: *Provided*, That this appropriation shall be available for such refunds of payments made within the past two years.

Proviso. Availability.

Survey of water system, expenses.

For expenses of a survey to determine the reproduction cost and historical cost of the water system of the District of Columbia, and the proper water rates to cover not only operating expenses but also depreciation reserve, including the employment of engineering or other professional services by contract or otherwise, without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), or the Classification Act of 1923, as amended, and such other expenses as may be approved by the Commissioners, $20,000, to be immediately available and to be payable from the water revenues of said District of Columbia.

R. S. § 3709. 41 U. S. C. § 5.

Construction work, etc., under Commissioners.

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, water, street, street-cleaning, or road work, or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the Commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in their Budget estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: *Provided*, That the expenditures hereunder shall not exceed $42,000 during the fiscal

Provisos. Limitation.

year 1938: *Provided further*, That, excluding inspectors in the sewer department and one inspector in the electrical department, no person shall be employed in pursuance of the authority contained in this paragraph for a longer period than nine months in the aggregate during the fiscal year. Maximum period of employment.

Appropriations in this Act shall be available for payment by the District of Columbia of its contributions as an employer, in accordance with the provisions of the District of Columbia Unemployment Compensation Act (49 Stat., p. 946). D. C. Unemployment Compensation Act, contributions. 49 Stat. 946.

The Commissioners, or their duly designated representatives, are further authorized to employ temporarily such laborers, skilled laborers, drivers, hostlers, and mechanics as may be required exclusively in connection with sewer, water, street, and road work, and street cleaning, or the construction and repair of buildings, and bridges, furniture and equipments, and any general or special engineering or construction or repair work, and to incur all necessary engineering and other expenses, exclusive of personal services, incidental to carrying on such work and necessary for the proper execution thereof, said laborers, skilled laborers, drivers, hostlers, and mechanics to be employed to perform such work as may not be required by law to be done under contract, and to pay for such services and expenses from the appropriations under which such services are rendered and expenses incurred. Temporary labor, etc.

SEC. 3. That all horses, harness, horse-drawn vehicles necessary for use in connection with construction and supervision of sewer, street, street lighting, road work, and street-cleaning work, including maintenance of said horses and harness, and maintenance and repair of said vehicles, and purchase of all necessary articles and supplies in connection therewith, or on construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations, may be purchased, hired, and maintained, and motor trucks may be hired exclusively to carry into effect said appropriations, when specifically and in writing ordered by the Commissioners; and all such expenditures necessary for the proper execution of said work, exclusive of personal services, shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in the Budget estimates shall report the number of horses, vehicles, and harness purchased, and horses and vehicles hired, and the sums paid for same, and out of what appropriation; and all horses owned or maintained by the District shall, so far as may be practicable, be provided for in stables owned or operated by said District: *Provided*, That such horses, horse-drawn vehicles, and carts as may be temporarily needed for hauling and excavating material in connection with works authorized by appropriations may be temporarily employed for such purposes under the conditions named in section 2 of this Act in relation to the employment of laborers, skilled laborers, and mechanics. Horses, vehicles, etc. *Proviso:* Temporary work, etc.

SEC. 4. That the Commissioners are authorized to employ in the execution of work, the cost of which is payable from the appropriation account created in the District of Columbia Appropriation Act, approved April 27, 1904, and known as the miscellaneous trust-fund deposits; District of Columbia, necessary personal services, horses, carts, and wagons, and to hire therefor motor trucks when specifically and in writing authorized by the Commissioners, and to incur all necessary expenses incidental to carrying on such work and necessary for the proper execution thereof, including the purchase, exchange, maintenance, and operation of motor vehicles for inspection and transportation purposes, such services and expenses to be Miscellaneous trust fund deposits. Expenses payable from. 33 Stat. 368.

Proviso. Employment of labor.

paid from said appropriation account: *Provided*, That the Commissioners may delegate to their duly authorized representatives the employment under this section of laborers, mechanics, and artisans.

Material, supplies, vehicles, etc. Purchase of.

SEC. 5. That the Commissioners and other responsible officials, in expending appropriations contained in this Act, so far as possible, shall purchase material, supplies, including food supplies and equipment, when needed and funds are available, in accordance with the regulations and schedules of the Procurement Division of the Treasury Department or from various services of the Government of the United States possessing material, supplies, passenger-carrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such surplus articles to the municipal government under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Surplus articles, price basis.

Proviso. Transfers under Executive order.

Limitation on rentals.

SEC. 6. No part of the funds appropriated in this Act shall be available for the payment of rental of quarters for any activity at a rate in excess of 90 per centum of the per annum rate paid by the District of Columbia for such quarters on June 30, 1933: *Provided*, That the provisions of this paragraph shall not apply to leases made prior to the passage of this Act, except when renewals thereof are made hereafter: *Provided further*, That the appropriations or portions of appropriations unexpended by reason of the operation of this paragraph shall not be used for any purpose, but shall be impounded and deposited in the Treasury to the credit of the District of Columbia.

Provisos. Prior leases.

Unexpended balances to be covered in.

Pay increase by reallocation of position forbidden.

SEC. 7. No part of the appropriations contained in this Act shall be used to pay any increase in the salary of any officer or employee by reason of the reallocation of the position of such officer or employee to a higher grade after June 30, 1937, by the Civil Service Commission, and salaries paid accordingly shall be payment in full: *Provided*, That the foregoing limitation shall not apply to the reallocation of positions where the salary is less than $2,600 per annum.

Proviso. Exceptions.

Issuance of congressional tags limited. 47 Stat. 750.

SEC. 8. No part of this appropriation shall be available for any expense for or incident to the issuance of congressional tags except to those persons set out in the Act of December 19, 1932 (47 Stat. 750), including the Speaker and the Vice President.

Credit allowed for designated disbursements.

SEC. 9. Credit is allowed in the accounts of the District of Columbia for disbursements made from the permanent and indefinite appropriation "Refund of erroneously paid taxes, D. C.", amounting to $3,229.90, covered by audit numbers 33,568, 37,304, 45,549, 53,546, 63,399, and 70,165, and General Accounting Office Certificate Numbered F–5872–DC, dated July 24, 1933.

Approved, June 29, 1937.

[CHAPTER 404]

AN ACT

June 29, 1937
[H. R. 6523]
[Public, No. 173]

Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, and for other purposes.

Department of Agriculture and Farm Credit Administration appropriations, fiscal year 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1938, namely:

Title I—Department of Agriculture.

TITLE I—DEPARTMENT OF AGRICULTURE

Secretary's office.

OFFICE OF THE SECRETARY

Salaries.

SALARIES

Secretary, Under Secretary, Assistant, and other personal services.

For the Secretary of Agriculture, Under Secretary of Agriculture, Assistant Secretary, and for other personal services in the District of Columbia, and elsewhere, $452,700: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act as amended and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated: *Provided further*, That the Secretary of Agriculture is authorized to contract for stenographic reporting services, and the appropriations made in this Act shall be available for such purposes: *Provided further*, That the Secretary of Agriculture is authorized to expend from appropriations available for the purchase of lands not to exceed $1 for each option to purchase any particular tract or tracts of land: *Provided further*, That not to exceed $40,000 of the appropriations available for salaries and expenses of officers and employees of the Department of Agriculture permanently stationed in foreign countries may be used for payment of allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a): *Provided further*, That with the approval of the Secretary of Agriculture employees of the Department of Agriculture

Provisos.
Salaries limited to average rates under Classification Act.
42 Stat. 1488.
5 U. S. C. §§ 661-674.

Where only one position in grade.

Restriction not applicable to clerical-mechanical service.
No reduction in fixed salaries.
42 Stat. 1490.
5 U. S. C. § 666.
Transfers without reduction.

Higher rates permitted.

If only one position in a grade.

Contracts for stenographic reporting.

Purchase of options on lands.

Allowances for living quarters abroad.

46 Stat. 818.
5 U. S. C. § 118a.
Advance payments.

stationed abroad may enter into leases for official quarters, for periods not exceeding one year, and may pay rent, telephone, subscriptions to publications, and other charges incident to the conduct of their offices and the discharge of their duties, in advance, in any foreign country where custom or practice requires payment in advance: *Provided further*, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department of Agriculture who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast with respect to future prices of cotton or the trend of same: *Provided further*, That no part of the funds appropriated by this Act shall be used for laboratory investigations to determine the possibly harmful effects on human beings of spray insecticides on fruits and vegetables.

Employees predicting future prices of cotton; payments to, forbidden.

Use for investigating effects of insecticide spray on fruits, etc., forbidden.

MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE

Miscellaneous expenses.

For stationery, blank books, twine, paper, gum, dry goods, soap, brushes, brooms, mats, oils, paints, glass, lumber, hardware, ice, furniture, carpets, and mattings; for freight, express charges, advertising and press clippings, telegraphing, telephoning, postage, washing towels; for the maintenance, repair, and operation of one motorcycle and not to exceed three motor-propelled passenger-carrying vehicles (including one for the Secretary of Agriculture, one for general utility needs of the entire Department, and one for the Forest Service) and purchase of one motor-propelled passenger-carrying vehicle at not to exceed $2,500, including the exchange value of one such vehicle, for official purposes only; for official traveling expenses, including examination of estimates for appropriations in the field for any bureau, office, or service of the Department; and for other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, which are authorized by such officer as the Secretary may designate, $105,750, together with not to exceed $10,000 of the unexpended balance of the appropriation for these purposes for the fiscal year 1937: *Provided*, That this appropriation shall be available for the payment of salaries of employees engaged in the maintenance, repair, and operation of motor transport vehicles, and that this appropriation shall be reimbursed from the appropriation made for any bureau or office for which such service is performed, in accordance with the provisions of the Act of May 11, 1922 (U. S. C., title 5, sec. 543): *Provided further*, That the Secretary of Agriculture, during the fiscal year for which this appropriation is made, may maintain stocks of stationery, supplies, equipment, and miscellaneous materials sufficient to meet, in whole or in part, requirements of the bureaus and offices of the Department in the city of Washington and elsewhere, but not to exceed in the aggregate $200,000 in value at the close of the fiscal year, and the appropriations of such bureaus, offices, and agencies available for the purchase of stationery, supplies, equipment, and miscellaneous materials shall be available to reimburse the appropriation for miscellaneous expenses current at the time supplies are allotted, assigned, or issued, or when payment is received; for transfer for the purchase of inventory; and for transfer pursuant to the provisions of section 601 of the Act approved June 30, 1932 (U. S. C., title 31, sec. 686): *Provided further*, That the appropriations made hereunder shall be available for the payment of salaries and expenses for purchasing, storing, handling, packing, or shipping supplies and blank forms, and there shall be charged proportionately as a part of the cost of sup-

Vehicles.

Amount of balance reappropriated.

Provisos.
Maintenance, etc., of vehicles; transfer of funds.

42 Stat. 508.
5 U. S. C. § 543.
Maintenance of stationery, etc., stocks.

Maximum.

Reimbursement from other appropriations.

47 Stat. 417.
31 U. S. C. § 686.

Employees handling, etc., supplies.

plies issued an amount to cover such salaries and expenses, and in the case of blank forms and supplies not purchased from this appropriation an amount to cover such salaries and expenses shall be charged proportionately to the proper appropriation: *Provided further*, That the facilities of the central storehouse of the Department shall to the fullest extent practicable be used to make unnecessary the maintenance of separate bureau storehouse activities in the Department: *Provided further*, That a separate schedule of expenditures, transfers of funds, or other transactions hereunder shall be included in the annual Budget.

Use of central storehouse.

Segregation of transactions.

RENT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

Rent.

For rent of buildings and parts of buildings in the District of Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, $33,000.

Buildings in the District of Columbia.

Total, Office of the Secretary, $591,450.

OFFICE OF THE SOLICITOR

Solicitor's office.

Salaries and expenses: For the employment of personal services in the District of Columbia and elsewhere, and for other necessary expenses, $194,160, of which not to exceed $163,861 may be expended for personal services in the District of Columbia.

Salaries and expenses.

OFFICE OF INFORMATION

Office of Information.

SALARIES AND EXPENSES

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, including labor-saving machinery and supplies, envelopes, stationery and materials, office furniture and fixtures, photographic equipment and materials, artists' tools and supplies, telephone and telegraph service, freight and express charges; purchase and maintenance of bicycles; purchase of manuscripts; traveling expenses; electrotypes, illustrations, and other expenses not otherwise provided for, $366,480, of which not to exceed $347,458 may be used for personal services in the District of Columbia.

Salaries and expenses.

Services in the District.

PRINTING AND BINDING

For all printing and binding for the Department of Agriculture, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, $887,650, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary of Agriculture, as required by the Acts of January 12, 1895 (U. S. C., title 44, secs. 111, 212–220, 222, 241, 244), March 4, 1915 (U. S. C., title 7, sec. 418), and June 20, 1936 (U. S. C., Supp. II, title 5, sec. 108), and in pursuance of the Act approved March 30, 1906 (U. S. C., title 44, secs. 214, 224), and also including not to exceed $250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Weather Bureau and the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (U. S. C., title 44, secs. 111, 220).

Printing and binding.

Annual Report of the Secretary.
28 Stat. 612; 34 Stat. 825; 49 Stat. 1550.
44 U. S. C. §§ 111, 212-220, 222, 241, 244; 7 U. S. C. § 418; 5 U. S. C., Supp. II, § 108.
34 Stat. 825.
44 U. S. C. §§ 214, 224.
Farmers' bulletins.

Exceptions.

40 Stat. 1270.
44 U. S. C. §§ 111, 220.

Total, Office of Information, $1,254,130.

Library.

LIBRARY, DEPARTMENT OF AGRICULTURE

Salaries and expenses.

Salaries and expenses: For purchase and exchange of books of reference, law books, technical and scientific books, periodicals, and for expenses incurred in completing imperfect series; not to exceed $1,200 for newspapers, and when authorized by the Secretary of Agriculture for dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; for salaries in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, $105,420, of which amount not to exceed $71,600 may be expended for personal services in the District of Columbia.

Services in the District.

Experiment Stations office.

OFFICE OF EXPERIMENT STATIONS

PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO FOR AGRICULTURAL EXPERIMENT STATIONS

Support of stations
24 Stat. 440.
7 U. S. C. §§ 362, 363, 365, 368, 377–379.
College-aid land grants.
12 Stat. 503.
7 U. S. C. §§ 301–308.

Hatch Act: To carry into effect the provisions of an Act approved March 2, 1887 (U. S. C., title 7, secs. 362, 363, 365, 368, 377–379), entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July 2, 1862 (U. S. C., title 7, secs. 301–308), and of the Acts supplementary thereto", the sums apportioned to the several States, to be paid quarterly in advance, $720,000.

Increased allotments.
34 Stat. 63.
7 U. S. C. § 369.

Adams Act: To carry into effect the provisions of an Act approved March 16, 1906 (U. S. C., title 7, sec. 369), entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof", and Acts supplementary thereto, the sums apportioned to the several States to be paid quarterly in advance, $720,000.

Further allotments.
43 Stat. 970.
7 U. S. C. §§ 361, 366, 370, 371, 373–376, 380, 382.

Purnell Act: To carry into effect the provisions of an Act entitled "An Act to authorize the more complete endowment of agricultural experiment stations", approved February 24, 1925 (U. S. C., title 7, secs. 361, 366, 370, 371, 373–376, 380, 382), $2,880,000.

Hawaii.
45 Stat. 571.
7 U. S. C. §§ 386–386b.

Hawaii: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of certain Acts of Congress to the Territory of Hawaii", approval May 16, 1928 (U. S. C., title 7, secs. 386–386b), $50,000.

Alaska.
45 Stat 1256.
7 U. S. C. § 386c.

Alaska: To carry into effect the provisions of an Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (U. S. C., title 7, sec. 386c), $15,000; and the provisions of section 2 of the Act entitled "An Act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes", approved June 20, 1936 (U. S. C., Supp. II, title 7, sec. 369a), $7,500; in all, for Alaska, $22,500.

Benefits of other provisions extended to.
49 Stat. 1554.
7 U. S. C., Supp. II, § 369a.

Puerto Rico.
46 Stat. 1520.
7 U. S. C. §§ 386d–386f.

Puerto Rico: To carry into effect the provisions of an Act entitled "An Act to coordinate the agricultural experiment station work and to extend the benefits of certain Acts of Congress to the Territory of Puerto Rico", approved March 4, 1931 (U. S. C., title 7, secs. 386d–386f), $40,000.

Research into basic agricultural laws and principles.
49 Stat 436.
7 U. S. C., Supp. II, §§ 427–427g.

Title 1, Bankhead-Jones Act: For payments to States, Hawaii, Alaska, and Puerto Rico, pursuant to authorizations contained in title 1 of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges",

approved June 29, 1935 (U. S. C., Supp. II, title 7, secs. 427–427g), $1,800,000.

In all, payments to States, Hawaii, Alaska, and Puerto Rico for agricultural experiment stations, $6,232,500. Total.

SALARIES AND EXPENSES

Salaries and expenses.

Administration of grants to States and coordination of research: To enable the Secretary of Agriculture to enforce the provisions of the Acts approved March 2, 1887 (U. S. C., title 7, secs. 362, 363, 365, 368, 377–379), March 16, 1906 (U. S. C., title 7, secs. 369, 375), February 24, 1925 (U. S. C., title 7, secs. 361, 366, 370, 371, 373–376, 380, 382), May 16, 1928 (U. S. C., title 7, secs. 386–386b), February 23, 1929 (U. S. C., title 7, sec. 386c), March 4, 1931 (U. S. C., title 7, secs. 386d–386f), and June 20, 1936 (U. S. C., Supp. II, title 7, sec. 369a), and Acts amendatory or supplementary thereto, relative to their administration and for the administration of agricultural experiment stations in Hawaii and Puerto Rico, including the employment of clerks, assistants, and other persons in the city of Washington and elsewhere, freight and express charges, official traveling expenses, office fixtures, supplies, apparatus, telegraph and telephone service, gas, electric current, and rent outside the District of Columbia, $161,735; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the research work of the Department of Agriculture and coordinate the research work of the Department with that of the State agricultural colleges and experiment stations in the lines authorized in said Acts, and make report thereon to Congress.

Administration of stations, etc.

24 Stat. 440; 34 Stat. 63; 43 Stat. 970; 45 Stat. 571, 1256; 46 Stat. 1520.
7 U. S. C. §§ 361–363, 365, 366, 368–371, 373–380, 382, 386–386f.

49 Stat. 1553.
7 U. S. C., Supp. II, § 369a.

Hawaii and Puerto Rico.

Rent.

Annual financial statement, forms.

Insular experiment stations: To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Hawaii and Puerto Rico, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, $69,311, as follows: $2,066 for Hawaii, and $67,245 for Puerto Rico: *Provided*, That the Secretary of Agriculture may, at his discretion, transfer such equipment, including the library, of the Hawaii Experiment Station, as he may deem necessary and advisable to the experiment station of the University of Hawaii, conducted jointly and in collaboration with the Federal station under the Act of May 16, 1928 (U. S. C., title 7, secs. 386–386b); and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Hawaii and Puerto Rico, and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts.

Insular experiment stations.

Proviso.
Transfer of equipment.

45 Stat. 571.
7 U. S. C. §§ 386–386b.
Sale of products.

Receipts covered in.

In all, salaries and expenses, $231,046.

Total, Office of Experiment Stations, $6,463,546, of which amount not to exceed $150,105 may be expended for personal services in the District of Columbia, and not to exceed $725 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles, field service.

SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

For enabling the Secretary of Agriculture to carry into effect the provisions of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for

Special research fund; administrative expenses.

49 Stat. 436.
7 U. S. C., Supp. II, §§ 427, 427b, 427c, 427f.
Administration of stations.

the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (U. S. C., Supp. II, title 7, secs. 427, 427b, 427c, 427f); for administration of the provisions of section 5 of the said Act, and for special research work, including the planning, programming, and coordination of such research, to be conducted by such agencies of the Department of Agriculture as the Secretary of Agriculture may designate or establish, and to which he may make allotments from this fund, including the employment of persons and means in the District of Columbia and elsewhere, and the purchase, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, $1,200,000.

Vehicles.

Extension Service.

EXTENSION SERVICE

PAYMENTS TO STATES, HAWAII, AND ALASKA

Cooperative extension work, allotments.

Supplementary cooperative extension work: For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision as the additional appropriations made by the Act of May 8, 1914 (U. S. C., title 7, secs. 341–348), entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving benefits of an Act of Congress approved July 2, 1862 (U. S. C., title 7, secs. 301–308), and of Acts supplementary thereto, and the United States Department of Agriculture", $790,000; and all sums appropriated by this Act for use for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefits of said Act of May 8, 1914: *Provided*, That of the above appropriation not more than $300,000 shall be expended for purposes other than salaries of county agents.

38 Stat. 372; 45 Stat. 577, 711.
7 U. S. C. §§ 341–348.

12 Stat. 503.
7 U. S. C. §§ 301–308.

Use of funds.

Proviso.
Expenses, other than salaries of county agents.

Further cooperation with State colleges.

Capper-Ketcham extension work: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts', approved July 2, 1862 (U. S. C., title 7, secs. 301–308), and all Acts supplementary thereto, and the United States Department of Agriculture", approved May 22, 1928 (U. S. C., title 7, secs. 343a, 343b), $1,480,000.

12 Stat. 503; 38 Stat. 372; 45 Stat. 711; 46 Stat. 83.
7 U. S. C. §§ 301–308, 343a, 343b.

Cooperative State agricultural extension work.

Extension work, section 21, Bankhead-Jones Act: To enable the Secretary of Agriculture to carry into effect the provisions of section 21, title II, of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (U. S. C., Supp. II, title 7, sec. 343c), $10,000,000.

49 Stat. 438.
7 U. S. C., Supp. II, § 343c.

Extension work in Alaska.

Alaska: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (U. S. C., title 7, sec. 386c), $13,918; and the provisions of section 3 of the Act entitled "An Act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-

45 Stat. 1256.
7 U. S. C. § 386c.

Benefits of designated Acts extended to.

Ketcham Act to the Territory of Alaska, and for other purposes", approved June 20, 1936 (U. S. C., Supp. II, title 7, sec. 343e), $5,000; in all, for Alaska, $18,918.

49 Stat. 1554.
7 U. S. C., Supp. II, § 343e.

Additional cooperative extension work: For additional cooperative agricultural extension work, including employment of specialists in economics and marketing, to be allotted and paid by the Secretary of Agriculture to the several States and the Territory of Hawaii in such amounts as he may deem necessary to accomplish such purposes, $500,000.

Additional cooperative extension work.

In all, payments to States, Hawaii, and Alaska for agricultural exension [1] work, $12,788,918.

SALARIES AND EXPENSES

General administrative expenses: For necessary expenses for general administrative purposes, including personal services in the District of Columbia, $126,246.

Administrative expenses.

Farmers' cooperative demonstration work: For farmers' cooperative demonstration work, including special suggestions of plans and methods for more effective dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice, at farmers' institutes and in agricultural instruction, and for such work on Government reclamation projects, and for personal services in the city of Washington and elsewhere, supplies, and all other necessary expenses, $554,670: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of businessmen, business organizations, and individuals within the State.

Farmers' cooperative demonstration work.

Farmers' institutes.

Proviso.
Voluntary contributions within State accepted.

Motion pictures: For the preparation and distribution of motion and sound pictures, and sound recordings, as a means of disseminating information to farmers and others on the results of scientific research of the Department, and of teaching improved methods and practices in agriculture, home economics, and other subjects related to the work of the Department of Agriculture; including the employment of persons and means in the District of Columbia and elsewhere, $79,000.

Motion and sound pictures.
Preparation and distribution.

Agricultural exhibits at fairs: To enable the Secretary of Agriculture to make suitable agricultural exhibits at State, interstate, and international fairs held within the United States; for the purchase of necessary supplies and equipment; for telephone and telegraph service, freight and express charges; for travel, and for every other expense necessary, including the employment of assistance in or outside the city of Washington, $85,000.

Agricultural exhibits at fairs.

Cooperative farm forestry: For cooperation with appropriate officials of the various States or with other suitable agencies to assist the owners of farms in establishing, improving, and renewing wood lots, shelterbelts, windbreaks, and other valuable forest growth, and in growing and renewing useful timber crops under the provisions of section 5 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (U. S. C., title 16, secs. 564–570), including personal services in the District of Columbia, $56,838.

Cooperative farm forestry.

Timber growth.
43 Stat. 654.
16 U. S. C. §§ 564–570.

[1] So in original.

Services in the District.

In all, salaries and expenses, $901,754, of which amount not to exceed $679,416 may be expended for personal services in the District of Columbia.

Total, Extension Service, $13,690,672.

Weather Bureau.

WEATHER BUREAU

SALARIES AND EXPENSES

Salaries and expenses.

For carrying into effect in the District of Columbia and elsewhere in the United States, in the West Indies, in the Panama Canal, the Caribbean Sea, and on adjacent coasts, in the Hawaiian Islands, in Bermuda, and in Alaska the provisions of an Act approved October 1, 1890 (U. S. C., title 15, secs. 311–313, 317), so far as they relate to the weather service transferred thereby to the Department of Agriculture, and the amendment thereof contained in section 5 (e) of the Air Commerce Act of 1926 (U. S. C., title 15, sec. 313), for the employment of professors of meteorology, district forecasters, local forecasters, meteorologists, section directors, observers, apprentices, operators, skilled mechanics, instrument makers, foremen, assistant foremen, proofreaders, compositors, pressmen, lithographers, folders and feeders, repair men, station agents, messengers, messenger boys, laborers, special observers, display men, and other necessary employees; for fuel, gas, electricity, freight and express charges, furniture, stationery, ice, dry goods, twine, mats, oil, paints, glass, lumber, hardware, and washing towels; for advertising; for purchase, subsistence, and care of horses and vehicles, the purchase and repair of harness, for official purposes only; for instruments, shelters, apparatus, storm-warning towers and repairs thereto; for rent of offices; for repair, alterations, and improvements to existing buildings and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; and the erection of temporary buildings for living quarters of observers; for official traveling expenses; for telephone rentals, and for telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreement with the companies performing the service; for the maintenance and repair of Weather Bureau telegraph, telephone, and cable lines; and for every other expenditure required for the establishment, equipment, and maintenance of meteorological offices and stations and for the issuing of weather forecasts and warnings of storms, cold waves, frosts, and heavy snows, the gaging and measuring of the flow of rivers and the issuing of river forecasts and warnings; for observations and reports relating to crops; and for other necessary observations and reports, including cooperation with other bureaus of the Government and societies and institutions of learning for the dissemination of meteorological information, as follows:

26 Stat. 653.
15 U. S. C. §§ 311–313, 317.

Air navigation reports.
44 Stat. 571.
15 U. S. C. § 313.
Personal services.

Contingent expenses.

Telegraphing, etc.

Issuing forecasts and warnings.

Cooperation with other bureaus, etc.

Administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, and not to exceed $25,000 for the purchase of an offset lithographic press and equipment therefor, $170,000.

General weather service and research.

General weather service and research: For necessary expenses incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, evaporation, and aerology in the District of Columbia and elsewhere, including $3,930 for investigations of the relationship of weather conditions to forest fires, under section 6 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581e),

Weather relationship to forest fires.
45 Stat. 701.
16 U. S. C. § 581e.

$2,342,870, of which not to exceed $1,500 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee, and not to exceed $10,000 may be expended for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau.

International Meteorological Committee.

Printing office.

Proviso.
Printing restrictions.

Aerology: For the maintenance of stations for observing, measuring, and investigating atmospheric phenomena, including salaries and other expenses, in the city of Washington and elsewhere, $2,190,179, of which $55,000 shall be immediately available.

Aerological stations.

Total, Weather Bureau, $4,703,049, of which amount not to exceed $548,600 may be expended for personal services in the District of Columbia: *Provided*, That Weather Bureau part-time employees, appointed by designation or otherwise, under regulations of the Civil Service Commission, for observational work, may perform odd jobs in the installation, repair, improvement, alteration, cleaning, or removal of Government property and receive compensation therefor at rates of pay to be fixed by the Secretary of Agriculture.

Services in the District.

Proviso.
Part-time employees.

BUREAU OF ANIMAL INDUSTRY

Animal Industry Bureau.

SALARIES AND EXPENSES

For carrying out the provisions of the Act approved May 29, 1884 (U. S. C., title 7, sec. 391; title 21, secs. 112–119, 130), establishing a Bureau of Animal Industry, and the provisions of the Act approved March 3, 1891 (U. S. C., title 45, secs. 75, 76), providing for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other purposes; the Act approved August 30, 1890 (U. S. C., title 21, secs. 101–105), providing for the importation of animals into the United States, and for other purposes; and the provisions of the Act approved February 2, 1903 (U. S. C., title 21, secs. 111–113, 120–122), to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of livestock, and for other purposes; and also the provisions of the Act approved March 3, 1905 (U. S. C., title 21, secs. 123–128), to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other livestock therefrom, and for other purposes; and for carrying out the provisions of the Act of June 29, 1906 (U. S. C., title 45, secs. 71–74), entitled "An Act to prevent cruelty to animals while in transit by railroad or other means of transportation"; and for carrying out the provisions of the Meat Inspection Act of June 30, 1906 (U. S. C., title 21, sec. 95), as amended by the Act of March 4, 1907 (U. S. C., title 21, secs. 71–94), as extended to equine meat by the Act of July 24, 1919 (U. S. C., title 21, sec. 96), and as authorized by section 2 (a) of the Act of June 26, 1934 (U. S. C., title 31, sec. 725a); and for carrying out the provisions of the Act approved March 4, 1913 (U. S. C., title 21, secs. 151–158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous products manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals; and for carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U. S. C., title 7, secs. 181–229), as amended by the Act of August 14, 1935 (U. S. C., Supp. II, title 7, secs. 218–218d); and the Secretary of Agriculture, upon application of any

General expenses.
23 Stat. 31.
7 U. S. C. § 391; 21 U. S. C. §§ 112–119, 130.
26 Stat. 833.
45 U. S. C. §§ 75, 76.

26 Stat. 414.
21 U. S. C. §§ 101–105.

Contagious diseases, etc.
32 Stat. 792.
21 U. S. C. §§ 111–113, 120–122.

Cattle quarantine.
33 Stat. 1264.
21 U. S. C. §§ 123–128.

Twenty-eight hour law.
34 Stat. 607.
45 U. S. C. §§ 71–74.

Equine meat inspection.
34 Stat. 674, 1260; 41 Stat. 241.
21 U. S. C. §§ 95, 71–94, 96.

48 Stat. 1225.
31 U. S. C. § 725a.

Animal viruses, etc.
37 Stat. 832.
21 U. S. C. §§ 151–158.

Packers and Stockyards Act.
42 Stat. 159; 49 Stat. 648.
7 U. S. C. §§ 181–229; Supp. II, §§ 218–218d.

Inspections other than at headquarters.

exporter, importer, packer, owner, agent of, or dealer in livestock, hides, skins, meat, or other animal products, may, in his discretion, make inspections and examinations at places other than the headquarters of inspectors for the convenience of said applicants and charge the applicants for the expenses of travel and subsistence incurred for such inspections and examinations, the funds derived from such charges to be deposited in the Treasury of the United States to the credit of the appropriation from which the expenses are paid; and to enable the Secretary of Agriculture to collect and disseminate information concerning livestock and animal products; to prepare and disseminate reports on animal industry; to employ and pay from the appropriation herein made as many persons in the city of Washington or elsewhere as he may deem necessary; to purchase in the open market samples of all tuberculin, serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States, for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to disseminate the results of said tests in such manner as he may deem best; to purchase and destroy diseased or exposed animals, including poultry, or quarantine the same whenever in his judgment essential to prevent the spread of pleuropneumonia, tuberculosis, contagious poultry diseases, or other diseases of animals from one State to another, as follows:

Fees credited to appropriate fund.

Collecting and disseminating information.

Personal services.

Tuberculin, serums, etc.

Purchase and destruction of diseased, etc., animals, including poultry.

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $178,220.

Animal husbandry.

Feeding, breeding, etc., experiments.

Animal husbandry: For all necessary expenses for investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including cooperation with the State agricultural experiment stations and other agencies, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, including the employment of labor in the city of Washington and elsewhere, rent outside the District of Columbia, and all other necessary expenses, $789,380, including $12,500 for livestock experiments and demonstrations at Big Springs or elsewhere in Texas, to be available only when the State of Texas, or other cooperating agency in Texas shall have appropriated an equal amount or, in the opinion of the Secretary of Agriculture, shall have furnished its equivalent in value in cooperation for the same purpose during the fiscal year 1938: *Provided*, That of the sum thus appropriated $238,957 may be used for experiments in poultry feeding and breeding, of which amount $40,000 may be used in cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries.

Big Springs, Tex., cooperative demonstrations, etc.; condition.

Proviso.

Poultry feeding and breeding.

Animal diseases investigations.

Beltsville, Md., station.

Bethesda, Md., station.

Diseases of animals: For all necessary expenses for scientific investigations of diseases of animals, including the construction of necessary buildings at Beltsville, Maryland, the maintenance of the Bureau experiment station at Bethesda, Maryland, and the necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, $447,775: *Provided*, That of said sum $78,182 may be used for researches concerning the cause, modes of spread, and methods of treatment and prevention of the disease of contagious abortion of animals.

Proviso.

Contagious abortion of animals.

Eradicating tuberculosis, etc.

Eradicating tuberculosis: For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, and avian tuberculosis, for the tuberculin testing of animals, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, or State, Territory, or county authorities,

$1,603,000, of which $1,103,116 shall be set aside for administrative and operating expenses and $499,884 for the payment of indemnities: *Provided*, That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture it shall be necessary to condemn and destroy tuberculous or paratuberculous cattle, if such animals have been destroyed, condemned, or die after condemnation, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere such sums as he shall determine to be necessary, within the limitations above provided, for the payment of indemnities, for the reimbursement of owners of such animals, in cooperation with such States, Territories, counties, or municipalities, as shall by law or by suitable action in keeping with its authority in the matter, and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous or paratuberculous cattle and for compensation to owners of cattle so condemned, but no part of the money hereby appropriated shall be used in compensating owners of such cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of such cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any purebred animal, and that no payment shall be made unless the owner has complied with all lawful quarantine regulations.

Provisos.
Indemnities for animals destroyed.

Cooperation with States, etc.

Compensation limited.

Eradicating cattle ticks: For all necessary expenses for the eradication of southern cattle ticks, $513,940: *Provided*, That, except upon the written order of the Secretary of Agriculture, no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry.

Eradicating southern cattle ticks.
Proviso.
Purchase of animals, etc., limited.

Materials for dipping vats.

Hog-cholera control: For the control and eradication of hog cholera and related swine diseases, by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers' associations, State or county authorities, $127,192.

Hog-cholera control.

Inspection and quarantine: For inspection and quarantine work, including all necessary expenses for the eradication of scabies in sheep and cattle and dourine in horses, the inspection of southern cattle, the supervision of the transportation of livestock, and the inspection of vessels, the execution of the twenty-eight-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, altera-

Inspection and quarantine.

Mallein testing of animals.

tions, improvements, or additions to buildings thereon; the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, $680,000.

Meat inspection.
34 Stat. 679, 1260.
21 U. S. C. §§ 95, 71–94, 96.

Equine meat.
48 Stat. 241.
31 U. S. C. § 725a.

Meat inspection: For expenses in carrying out the provisions of the Meat Inspection Act of June 30, 1906 (U. S. C., title 21, sec. 95), as amended by the Act of March 4, 1907 (U. S. C., title 21, secs. 71–94), as extended to equine meat by the Act of July 24, 1919 (U. S. C., title 21, sec. 96), and as authorized by section 2 (a) of the Act of June 26, 1934 (U. S. C., title 31, sec. 725a), including the purchase of tags, labels, stamps, and certificates printed in course of manufacture, $5,433,000.

Virus-Serum-Toxin Act.
37 Stat. 832.
21 U. S. C. §§ 151–158.

Virus-Serum-Toxin Act: For carrying out the provisions of the Act approved March 4, 1913 (U. S. C., title 21, secs. 151–158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals, $218,712.

Marketing agreements with respect to hog cholera virus and serum.
49 Stat. 781.
7 U. S. C., Supp. II, §§ 851–855.

Marketing agreements with respect to hog cholera virus and serum: The sum of $30,000 of the appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, is hereby made available during the fiscal year 1938 to carry into effect sections 56 to 60, inclusive, of the Act approved August 24, 1935 (U. S. C., Supp. I, title 7, secs. 851–855), entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", including the employment of persons and means in the District of Columbia and elsewhere.

Packers and Stockyards Act
42 Stat. 159; 49 Stat. 648.
7 U. S. C. §§ 181–229; 7 U. S. C., Supp. II, §§ 218–218d.

Packers and Stockyards Act: For necessary expenses in carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (U. S. C., title 7, secs. 181–229), as amended by the Act of August 14, 1935 (U. S. C., Supp. II, title 7, secs. 218–218d), $381,879: *Provided*, That the Secretary of Agriculture may require reasonable bonds from every market agency and dealer, under such rules and regulations as he may prescribe to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds any registrant is insolvent or has violated any provisions of said Act he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction: *Provided further*, That the Secretary of Agriculture may, whenever necessary, authorize the charging and collection from owners of a reasonable fee for the inspection of brands appearing upon livestock subject to the provisions of the said Act for the purpose of determining the ownership of such livestock: *Provided further*, That such fee shall not be imposed except upon written request made to the Secretary of Agriculture by the Board of Livestock Commissioners, or duly organized livestock association of the States from which such livestock have originated or been shipped to market.

Provisos.
Bonds from agencies and dealers.

Suspension for violation.

Fee for inspecting brands.

Not imposed unless requested.

Contagious diseases of animals.

ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

Emergency eradication, foot-and-mouth, etc., diseases.

In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious disease of animals, which, in the opinion of the Secretary of Agriculture, threatens the livestock industry of the country, he may expend in the city of Washington or elsewhere, any unexpended balances of appropriations heretofore made for this purpose in the arrest and eradication of any such disease, including

Balances available.

Payment for destroyed animals.

the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government for any animals shall not exceed one-half of any such appraisements: *Provided further*, That the sum of $5,000 of the unexpended balance of the appropriation of $3,500,000 contained in the Second Deficiency Appropriation Act, fiscal year 1924, approved December 5, 1924, for the eradication of the foot-and-mouth disease and other contagious or infectious diseases of animals, is hereby made available during the fiscal year 1938 to enable the Secretary of Agriculture to control and eradicate the European fowl pest and similar diseases in poultry.

Provisos.
Appraisement based on meat, etc., value.
Limitation.

Eradicating European fowl pest, etc.
43 Stat. 682.

Total, Bureau of Animal Industry, $10,373,098, of which amount not to exceed $825,451 may be expended for departmental personal services in the District of Columbia, and not to exceed $71,455 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.
Vehicles.

BUREAU OF DAIRY INDUSTRY

Dairy Industry Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

For carrying out the provisions of the Act approved May 29, 1924 (U. S. C., title 7, secs. 401–404), establishing a Bureau of Dairying, for salaries in the city of Washington and elsewhere, and for all other necessary expenses, as follows:

43 Stat. 243.
7 U.S.C. §§ 401–404.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief of Bureau and other personal services in the District of Columbia, $70,495.

Administrative expenses.

Dairy investigations: For conducting investigations, experiments, and demonstrations in dairy industry, cooperative investigations of the dairy industry in the various States, and inspection of renovated-butter factories, including repairs to buildings, not to exceed $5,000 for the construction of buildings, $633,199.

Investigations, demonstrations, etc.

Total, Bureau of Dairy Industry, $703,694, of which amount not to exceed $313,020 may be expended for personal services in the District of Columbia.

Services in the District.

BUREAU OF PLANT INDUSTRY

Plant Industry Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

For all necessary expenses in the investigation of fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries in cooperation with other branches of the Department, the State experiment stations, and practical farmers, and for the erection of necessary farm build-

Investigating fruits, plants, products, etc.
Post, p. 761.

Proviso.
Cost limit for buildings.
Field, etc., expenses.

Investigators, agents, etc

Administrative expenses.

Arlington, Va., experimental farm, etc.

31 Stat. 135.

Wild plants and grazing lands.

Eradicating noxious weeds.

Cereal crops and diseases, investigation, etc.

Flax, broomcorn, etc.

Cotton, etc., production and diseases.

Sea Island cotton.

Proviso.
Acquisition of tract near Greenville, Tex.

Drug, etc., plants.

Dry-land, etc., agriculture.
Post, p. 761.

Proviso.
New field station forbidden.

Experimental greenhouse maintenance.

Forage crops and diseases.

Forest pathology.

ings: *Provided*, That the cost of any building erected, except head houses connecting greenhouses, shall not exceed $2,500; for field and station expenses, including fences, drains, and other farm improvements; for repairs in the District of Columbia and elsewhere; for rent outside the District of Columbia; and for the employment of all investigators, local and special agents, agricultural explorers, experts, clerks, illustrators, assistants, and all labor and other necessary expenses in the city of Washington and elsewhere required for the investigations, experiments, and demonstrations herein authorized, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, $189,242.

Arlington Farm: For continuing the necessary improvements to establish and maintain a general experiment farm and agricultural station on the Arlington estate, in the State of Virginia, in accordance with the provisions of the Act of Congress approved April 18, 1900 (31 Stat., pp. 135, 136), $49,414.

Botany: For investigation, improvement, and utilization of wild plants and grazing lands, and for determining the distribution of weeds and means of their control, $76,635, of which $40,000 shall be expended for scientific investigation concerning control and eradication of white top, bind weed, and other noxious weeds.

Cereal crops and diseases: For the investigation and improvement of cereals, including corn, and methods of cereal production and for the study and control of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broomcorn and methods of broomcorn production, $541,721.

Cotton and other fiber crops and diseases: For investigation of the production of cotton and other fiber crops, including the improvement by cultural methods, breeding, and selection, fiber yield and quality, and the control of diseases, $406,435, of which sum not less than $15,000 shall be used for experimenting in Sea Island cotton, including its hybridization with other varieties: *Provided*, That the Secretary of Agriculture is authorized to acquire, by gift, devise, or by purchase in fee simple for a sum not to exceed one dollar, a tract of land containing approximately fifteen acres, now a part of the cotton field station near Greenville, Texas.

Drug and related plants: For the investigation, testing, and improvement of plants yielding drugs, spices, poisons, oils, and related products and byproducts, $47,139.

Dry-land agriculture: For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, $215,578: *Provided*, That no part of this appropriation shall be used for the establishment of any new field station.

Experimental greenhouse maintenance: For maintenance and operation of experimental greenhouses and adjacent experimental grounds and plots, $78,632.

Forage crops and diseases: For the investigation and improvement of forage crops, including grasses, alfalfas, clovers, soybeans, lespedezas, vetches, cowpeas, field peas, and miscellaneous legumes; for the investigation of green-manure crops and cover crops; for investigations looking to the improvement of pastures; and for the investigation of forage-crop diseases and methods of control, $300,193.

Forest pathology: For the investigation of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease,

the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control and applying methods of eradication or control already discovered, and including $134,850 for investigations of diseases of forest trees and forest products, under section 3 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581b), $259,592.

45 Stat. 701.
16 U. S. C. § 581b.

Fruit and vegetable crops and diseases: For investigation and control of diseases, for improvement of methods of culture, propagation, breeding, selection, and related activities concerned with the production of fruits, nuts, vegetables, ornamentals, and related plants, for investigation of methods of harvesting, packing, shipping, storing and utilizing these products, and for studies of the physiological and related changes of such products during processes of marketing and while in commercial storage, $1,179,482.

Fruit and vegetable crops and diseases investigation, etc.

Genetics and biophysics: For biophysical investigations in connection with the various lines of work herein authorized, $31,675.

Genetics and biophysics.

Mycology and disease survey: For mycological collections and the maintenance of a plant-disease survey, $45,818.

Mycology and disease survey.

National Aboretum[1]: For the maintenance and development of the National Arboretum established under the provisions of the Act entitled "An Act authorizing the Secretary of Agriculture to establish a National Arboretum, and for other purposes", approved March 4, 1927 (U. S. C., title 20, secs. 191–194), including not exceeding $80,000 for acquisition of additional land, notwithstanding the limitations of said Act of March 4, 1927, erection of buildings, salaries in the city of Washington and elsewhere, traveling expenses of employees and advisory council, and other necessary expenses, $122,000, of which such amounts as may be necessary may be expended by contract or otherwise for the services of consulting landscape architects without reference to the Classification Act of 1923, as amended, or civil-service rules.

National Arboretum.

44 Stat. 1422.
20 U. S. C. §§ 191–194.

Landscape architects.

Nematology: For crop technological investigations, including the study of plant-infesting nematodes, $48,961.

Nematology.

Plant exploration and introduction: For investigations in seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions, and for experiments with reference to their introduction and cultivation in this country, $204,483.

Plant exploration and introduction.

Plant nutrition: For plant-nutrition investigations, $16,024.

Plant nutrition investigations.

Rubber and other tropical plants: For investigation of crops, from tropical regions, and for the study and improvement of rubber plants by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation of their diseases, $46,749.

Rubber, etc., plants.

Seed investigations: For studying and testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa, and lawn-grass seeds secured in the open market, and where such samples are found to be adulterated or misbranded the results of the tests shall be published, together with the names of the persons by whom the seeds were offered for sale, and for carrying out the provisions of the Act approved August 24, 1912 (U. S. C., title 7, secs. 111–114), entitled "An Act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes", as amended by the Act approved April 26, 1926 (U. S. C., title 7, secs. 111, 115, 116), $72,293: *Provided*, That not to exceed $250 of this amount may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress in carrying out plans for correlating

Seed investigations.

Preventing admission, etc.
37 Stat. 506; 44 Stat. 325.
7 U. S. C. §§ 111–116.

Proviso.
International Seed Testing Congress.

[1] So in original.

the work of the various adhering governments on problems relating to seed analysis or other subjects which the Congress may determine to be necessary in the interest of international seed trade.

Soil-fertility investigations.

Soil-fertility investigations: For soil investigations into causes of infertility; maintenance of productivity; effects of soil composition, cultural methods, and fertilizers on yield and quality of crops; and the properties, composition, formation, and transformation of soil organic matter, $172,157.

Soil microbiology investigations.

Soil microbiology investigations: For investigations of the microorganisms of the soil and their activities, including the testing of samples procured in the open market, of cultures for inoculating legumes, other crops, or soil, and the publication of results, and if any such samples are found to be impure, nonviable, or misbranded, the results of the tests may be published, together with the names of the manufacturers and of the persons by whom the cultures were offered for sale, $39,854.

Publishing results of tests of cultures, etc.

Sugar-plant investigations.

Sugar-plant investigations: For sugar-plant investigations, including studies of diseases and the improvement of sugar beets and sugar-beet seed, $428,700, of which $100,000 shall be immediately available for the establishment of a sugarcane station at Houma, Louisiana: *Provided*, That not to exceed $12,500 of this latter amount may be expended for the purchase of land: *Provided further*, That the limitations in this Act as to the cost of farm buildings shall not apply to this paragraph.

Houma, La., station, establishment.

Provisos.
Purchase of land.
Cost of buildings.
Ante, p. 408.

Tobacco investigations.

Tobacco investigations: For the investigation and improvement of tobacco and the methods of tobacco production and handling, $137,744.

Western irrigation agriculture.
Utilizing reclaimed lands.

Western irrigation agriculture: For investigations in connection with western irrigation agriculture, the utilization of lands reclaimed under the Reclamation Act, and other areas in the arid and semiarid regions, $122,527.

Services in the District.

Vehicles.

Total, Bureau of Plant Industry, $4,833,048, of which amount not to exceed $1,514,395 may be expended for departmental personal services in the District of Columbia and not to exceed $19,575 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Forest Service.

FOREST SERVICE

Salaries and expenses.

SALARIES AND EXPENSES

Experiments, etc.

To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed $7,500, with the exception that any building erected, purchased, or acquired, the cost of which was $7,500 or more, may be improved out of the appropriations made under this Act for the Forest Service by an amount not to exceed two per centum of the cost of such building as certified by the

Restricted to United States.

Provisos.
Cost of buildings.

Secretary of Agriculture; to pay all expenses necessary to protect, administer, and improve the national forests, including tree planting and other measures to prevent erosion, drift, surface wash, soil waste, and the formation of floods, and to conserve water and including the payment of rewards under regulations of the Secretary of Agriculture for information leading to the arrest and conviction for violation of the laws and regulations relating to fires in or near national forests, or for the unlawful taking of, or injury to, Government property; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase necessary supplies, apparatus, office fixtures, law books, reference and technical books and technical journals for officers of the Forest Service stationed outside of Washington, and for medical supplies and services and other assistance necessary for the immediate relief of artisans, laborers, and other employees engaged in any hazardous work under the Forest Service: *Provided further*, That the appropriations for the work of the Forest Service shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies and materials stored therein for distribution to projects under the supervision of the Forest Service and for sale and distribution to other Government activities, the cost of such supplies and materials, including the cost of supervision, transportation, and handling, to be reimbursed to appropriations current at the time additional supplies and materials are procured for warehouse stocks from the appropriations chargeable with the cost of stock issued; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, and washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and fiscal officers while performing Forest Service work; and for rent outside the District of Columbia, as follows:

Protection, etc., of national forests.

Care of fish and game.

Supplies, etc.

Warehouse maintenance, etc.

Outside rent.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief Forester, for the necessary expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (U. S. C., title 16, sec. 514), and for other personal services in the District of Columbia, $607,500.

Administrative, etc., expenses.
Chief Forester, National Forest Reservation Commission, etc.
36 Stat. 962.
16 U. S. C. § 514.

National Forest Administration: For the administration, protection, use, maintenance, improvement, and development of the national forests, including the compensation and traveling expenses of field personnel; the purchase of materials, supplies, and equipment; the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the maintenance and operation of aerial fire control by contract or otherwise, including the purchase of one airplane; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests: *Provided*, That where, in the opinion of the Secretary of Agriculture, direct purchases will be more economical than construction, improvements may be purchased; the construction, equipment, and maintenance of sanitary, fire preventive and recreational facilities; control of destructive forest tree diseases and insects; timber cultural operations; development and application of fish and

National Forest Administration.

Nurseries.

Aerial fire control.

Proviso.
Direct purchases.

game management plans; propagation and transplanting of plants suitable for planting on semiarid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906 (U. S. C., title 16, secs. 506–509), and the Act of August 10, 1912 (U. S. C., title 16, sec. 506), as provided by the Act of March 4, 1913 (U. S. C., title 16, sec. 512), and all other expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests and lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (U. S. C., title 16, sec. 521), and the Act of June 7, 1924 (U. S. C., title 16, secs. 471, 499, 505, 564–570), $11,425,950: *Provided*, That $200 of this appropriation shall be available for the expenses of properly caring for the graves of fire fighters buried at Wallace, Idaho; Newport, Washington; and Saint Maries, Idaho.

Lands opened to entry, etc

34 Stat. 233; 37 Stat. 287, 842; 43 Stat. 1144. 16 U. S. C. §§ 506–509, 512.

Purchase or acquisition.

36 Stat. 963; 43 Stat. 655. 16 U. S. C. §§ 521, 471, 499, 505, 564–570.

Proviso. Care of graves of fire fighters.

Water rights, investigations, etc.

Water rights: For the investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national forests, $10,000.

Fighting forest fires.

Revested Oregon-California lands, etc.

39 Stat. 218.

Coos Bay Wagon Road lands.

Fighting forest fires: For fighting and preventing forest fires on or threatening the national forests and for the establishment and maintenance of a patrol to prevent trespass and to guard against and check fires upon the lands revested in the United States by the Act approved June 9, 1916 (39 Stat., p. 218), and the lands known as the Coos Bay Wagon Road lands involved in the case of Southern Oregon Company against United States (numbered 2711), in the Circuit Court of Appeals of the Ninth Circuit, and unappropriated public forest lands, $100,000, which amount shall be immediately available.

Forest research. 45 Stat. 699. 16 U. S. C. §§ 581, 581a, 581f–581i.

Forest research: For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", approved May 22, 1928 (U. S. C., title 16, secs. 581, 581a, 581f–581i), as follows:

Forest management. 45 Stat. 701.

Forest management: Fire silvicultural, and other forest investigations and experiments under section 2, as amended, at forest experiment stations or elsewhere, $638,403.

Range investigations. 45 Stat. 701.

Range investigations: Investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, $225,935.

Forest products, experiments, etc. 45 Stat. 701.

Forest products: Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, $628,361.

Forest survey. 45 Stat. 702.

Forest survey: A comprehensive forest survey under section 9, $220,000.

Forest economics. 45 Stat. 702.

Forest economics: Investigations in forest economics under section 10, $121,295.

Forest influences: For investigations and experiments at forest experiment stations or elsewhere for determining and demonstrating the influence of natural vegetative cover characteristic of forest, range, or other wild land on water conservation, flood control, stream-flow regulation, erosion, climate, and maintenance of soil productivity, and for developing preventive and control measures therefor, $139,152.

Forest influences.

In all, salaries and expenses, $14,116,596; and in addition thereto there are hereby appropriated all moneys received as contributions toward cooperative work under the provisions of section 1 of the Act approved March 3, 1925 (U. S. C., title 16, sec. 572), which funds shall be covered into the Treasury and constitute a part of the special funds provided by the Act of June 30, 1914 (U. S. C., title 16, sec. 498): *Provided*, That not to exceed $808,939 may be expended for departmental personal services in the District of Columbia: *Provided further*, That not to exceed $1,000 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Union of Forest Research Stations.

Aggregate; additional, from cooperative forest fund contributions.
43 Stat. 1132.
16 U. S. C. § 572.
38 Stat. 430, 45 Stat. 993
16 U. S. C. § 498.

Provisos.
Services in the District.
International Union of Forest Research Stations, contribution.

FOREST-FIRE COOPERATION

Forest-fire prevention, etc.

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote continuous production of timber on lands chiefly valuable therefor", approved June 7, 1924 (U. S. C., title 16, secs. 564–570), as amended, including also the study of the effect of tax laws and the investigation of timber insurance as provided in section 3 of said Act, $1,655,007, of which not to exceed $83,197 shall be available for departmental personal services in the District of Columbia and not to exceed $2,500 for the purchase of supplies and equipment required for the purposes of said Act in the District of Columbia.

Cooperation with States, etc.
43 Stat. 653.
16 U. S. C. §§ 564–570.

Tax laws and timber insurance investigation.
Services in the District.
Supplies and equipment.

COOPERATIVE DISTRIBUTION OF FOREST PLANTING STOCK

Forest planting stock.

For cooperation with the various States in the procurement, production, and distribution of forest-tree seeds and plants in establishing windbreaks, shelter belts, and farm wood lots upon denuded or nonforested lands within such cooperating States, under the provisions of section 4 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (U. S. C., title 16, sec. 567), and Acts supplementary thereto, $70,579, of which amount not to exceed $3,610 may be expended for departmental personal services in the District of Columbia.

Cooperation with States, etc., in reforestation.
43 Stat. 654.
16 U. S. C. § 567.

Services in the District.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

Additional forest lands.

For the acquisition of forest lands under the provisions of the Act approved March 1, 1911, as amended (U. S. C., title 16, secs. 513–519, 521), $3,000,000: *Provided*, That not to exceed $75,000 of the sum appropriated in this paragraph may be expended for departmental personal services in the District of Columbia.

Acquisition, under Conservation Act.
36 Stat. 961.
16 U. S. C. §§ 513–519, 521.
Proviso.
Services in the District.

For the acquisition of land in accordance with the provisions of the Act entitled "An Act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior

Uinta and Wasatch National Forests, Utah.
Soil erosion control, etc.

49 Stat. 866.

boundaries of the Uinta and Wasatch National Forests, Utah", approved August 26, 1935 (49 Stat., p. 866), not to exceed $50,000 from the entire receipts from the sale of natural resources or occupancy of public land within said national forests for the fiscal year 1937.

Vehicles, field work.

Total, Forest Service, $18,892,182, of which amount not to exceed $61,187 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, and in addition thereto there is authorized for expenditure from funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U. S. C., title 23, secs. 21, 23), not to exceed $7,803 for the purchase of motor-propelled passenger-carrying vehicles for use by the Forest Service in the construction and maintenance of national-forest roads.

Federal Highway Act.
42 Stat. 217.
23 U. S. C. §§ 21, 23.

Chemistry and Soils Bureau.

BUREAU OF CHEMISTRY AND SOILS

Salaries and expenses.

SALARIES AND EXPENSES

Investigations, demonstrations, etc.

For all necessary expenses connected with the investigations, experiments, and demonstrations hereinafter authorized, independently or in cooperation with other branches of the Department of Agriculture, other departments or agencies of the Federal Government, States, State agricultural experiment stations, universities and other State agencies and institutions, counties, municipalities, business or other organizations and corporations, individuals, associations, and scientific societies, including the employment of necessary persons and means in the city of Washington and elsewhere; rent outside the District of Columbia, and other necessary supplies and expenses, and for erection, alteration, and repair of buildings outside the District of Columbia at a total cost not to exceed $5,000, as follows:

Personal services.

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, $90,241.

Agricultural chemical investigations.
12 Stat. 387.
5 U. S. C. §§ 511, 512.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (U. S. C., title 5, secs. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, plant and animal products, and substances used in the manufacture thereof; for investigations of the physiological effects and for the pharmacological testing of such products and of insecticides; for the investigation and development of methods for the manufacture of sugars, sugar sirups and starches and the utilization of new agricultural materials for such purposes; for the technological investigation of the utilization of fruits and vegetables and for frozen pack investigations; for the investigation of chemicals for the control of noxious weeds and plants; and to cooperate with associations and scientific societies in the development of methods of analysis, $360,260.

Biological investigations, etc.

Investigation, etc., of methods of sugar manufacture, etc.

Farm products and byproducts.
Industrial utilization of, by chemical, etc., methods.

Industrial utilization of farm products and byproducts: For the investigation, development, experimental demonstration and application of methods for the industrial utilization of agricultural products, waste, and byproducts, and products made therefrom, except as otherwise provided for in this Act, by the application of chemical, physical, and technological methods, including the changes produced by micro-organisms such as yeasts, bacteria, molds, and fungi; the utilization for color, medicinal, and technical purposes of substances grown or produced in the United States, $196,243.

Agricultural fires and explosive dusts: For the investigation, development, experimental demonstration, and application of methods for the prevention and control of dust explosions and fires during the harvesting, handling, milling, processing, fumigating, and storing of agricultural products, and for other dust explosions and resulting fires not otherwise provided for, including fires in grain mills and elevators, cotton gins, cotton-oil mills, and other structures; the heating, charring, and ignition of agricultural products; fires on farms and in rural communities and other explosions and fires in connection with farm and agricultural operations, $48,403.

Agricultural fires and dust explosions.

Naval-stores investigations: For the investigation of naval stores (turpentine and rosin) and their components; the investigation and experimental demonstration of improved equipment, methods, or processes of preparing naval stores; the weighing, storing, handling, transportation, and utilization of naval stores; and for the assembling and compilation of data on production, distribution, and consumption of turpentine and rosin, pursuant to the Act of August 15, 1935 (U. S. C., Supp. II, title 5, sec. 556b), $81,400.

Naval-stores investigations, etc.

Turpentine and rosin, data.
49 Stat. 653.
5 U. S. C., Supp. II, § 556b.

Soil survey: For the investigation of soils and their origin, for survey of the extent of classes and types, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations and surveys, $301,208.

Soil survey.

Soil chemical and physical investigations: For chemical, physical, and physical-chemical investigations of soil types, soil composition, and soil minerals, the soil solution, solubility of soil, and all chemical and physical properties of soils in their relation to soil formation, soil texture, erosibility, and soil productivity, $78,081.

Soil types, etc., chemical and physical investigations.

Fertilizer investigations: For investigations within the United States of fertilizers, fertilizer ingredients, including phosphoric acid and potash, and other soil amendments and their suitability for agricultural use, $269,595.

Fertilizer investigations.

Total, Bureau of Chemistry and Soils, $1,425,431, of which amount not to exceed $982,396 may be expended for personal services in the District of Columbia, and not to exceed $1,575 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Entomology and Plant Quarantine Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

For necessary expenses connected with investigations, experiments, and demonstrations for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for investigating and importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, to enable the Secretary of Agriculture to carry into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended, to conduct other activities hereinafter authorized, and for the eradication, control, and prevention of spread of injurious insects and plant pests, independently or in cooperation with other branches of the Federal Government, States, counties, municipalities, corporations, agencies, individuals, or with foreign governments; including the employment of necessary persons and means in the District of Columbia and elsewhere, rent, construction, or repair of necessary

Investigations, etc., of insects.

Plant Quarantine Act, enforcement.
37 Stat. 315.
7 U. S. C. §§ 151–167.

buildings outside the District of Columbia: *Provided*, That the cost for the construction of any building shall not exceed $1,500, and that the total amount expended for such construction in any one year shall not exceed $7,000, as follows:

Proviso. Cost of buildings.

General administrative expenses.

General administrative expenses: For general administrative purposes, including the salary of Chief of Bureau and other personal services, $166,280.

Fruit insects.

Fruit insects: For insects affecting fruits, grapes, and nuts, $428,600.

Japanese beetle control.

Japanese beetle control: For the control and prevention of spread of the Japanese beetle, $425,000.

Mexican fruitfly control.

Mexican fruitfly control: For the control and prevention of spread of the Mexican fruitfly, including necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, $160,460.

Citrus canker eradication.

Citrus canker eradication: For determining and applying such methods of eradication or control of the disease of citrus trees known as "citrus canker" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, $13,485: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Proviso. No indemnity for destroyed trees, etc.

Sweet potato weevil control.

Sweet potato weevil control: For the determination and application of such methods of control for sweet potato weevils as, in the judgment of the Secretary of Agriculture, may be necessary, $75,000 to be immediately available: *Provided*, That, in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for the control of sweet potato weevil in any State until such State has provided cooperation necessary to accomplish this purpose: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.

Provisos. State contribution.

No indemnity for destroyed, etc., property.

Phony peach, etc., eradication.

Phony peach and peach mosaic eradication: For determining and applying such methods of eradication, control, and prevention of spread of the diseases of peach trees known as "phony peach" and "peach mosaic" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, including the certification of products out of the infested areas to meet the requirements of State quarantines, $89,800: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Proviso. No indemnity for destroyed trees, etc.

Forest insects. Preventing infestation, etc. 45 Stat. 701. 16 U. S. C. § 581c.

Forest insects: For insects affecting forests and forest products, under section 4 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581c), entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", and for insects affecting ornamental trees and shrubs, $253,100, of which $400 shall be immediately available: *Provided*, That $40,000 of this amount shall only be available for expenditure when matched by State funds.

Ornamental trees and shrubs.

Proviso. State contributions.

Gypsy and brown-tail moth control: For the control and prevention of spread of the gypsy and brown-tail moths, $400,000.

Gypsy and brown-tail moth control.

Blister rust control: For applying such methods of eradication, control, and prevention of spread of the white pine blister rust as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, and in the discretion of the Secretary of Agriculture no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals or organizations concerned, $300,000: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

Blister rust control.

Proviso.
No indemnity for destroyed trees, etc.

Dutch elm disease eradication: For determining and applying methods of eradication, control, and prevention of spread of the disease of elm trees known as "Dutch elm disease", $460,860, to be immediately available: *Provided*, That, in the discretion of the Secretary of Agriculture, no expenditures from this appropriation shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals, or organizations concerned: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

Dutch elm disease eradication.

Provisos.
Local contributions, etc.

No indemnity for destroyed trees, etc.

Truck crop and garden insects: For insects affecting truck crops, ornamental, and garden plants, including tobacco, sugar beets, and greenhouse and bulbous crops, $381,580.

Truck crop and garden insects.

Cereal and forage insects: For insects affecting cereal and forage crops, including sugarcane and rice, and including research on the European corn borer, $364,329.

Cereal and forage insects.

European corn borer control: For the control and prevention of spread of the European corn borer and for the certification of products out of the infested areas to meet the requirements of State quarantines on account of the European corn borer, $32,939.

European corn borer control.

Barberry eradication: For the eradication of the common barberry and for applying such other methods of eradication, control and prevention of spread of cereal rusts as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, $200,000: *Provided*, That, in the discretion of the Secretary of Agriculture, no expenditures from this appropriation shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided further*, That no part of the money herein appropriated shall be used to pay the cost or value of property injured or destroyed.

Barberry eradication.

Provisos.
State, etc., contribution.

No indemnity for property destroyed, etc.

Cotton insects: For insects affecting cotton, $144,544.

Cotton insects.

Pink bollworm control: For the control and prevention of spread of the pink bollworm, including the establishment of such cotton-free areas as may be necessary to stamp out any infestation, and for necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, $296,800.

Pink bollworm control.

Cooperation with Mexico.

Thurberia weevil control: For the control and prevention of spread of the Thurberia weevil, $2,808.

Thurberia weevil control.

Bee culture: For bee culture and apiary management, $83,000.

Bee culture.

Insects affecting man and animals: For insects affecting man, household possessions, and animals, $182,600.

Insects affecting man and animals.

Insect pest survey and identification: For the identification and classification of insects, including taxonomic, morphological, and related phases of insect pest control and the maintenance of an insect

Identification and classification of insects.

Dissemination of information.

pest survey for the collection and dissemination of information to Federal, State, and other agencies concerned with insect pest control, $159,790.

Foreign parasites.

Foreign parasites: For administrative expenses in connection with the introduction of natural enemies of injurious insects and related pests and for the exchange with other countries of useful and beneficial insects and other arthropods, $38,000.

Control investigations.

Control investigations: For developing equipment or apparatus to aid in enforcing plant quarantines, eradication and control of plant pests, determining methods of disinfecting plants and plant products to eliminate injurious pests, determining the toxicity of insecticides, and related phases of insect-pest control, $62,518.

Fumigation investigations, etc.

Fumigation investigations: For the investigation and development of fumigants to be used in fumigating plants and plant products, the interstate movement of which is now restricted or prohibited by State plant-quarantine or plant-inspection laws, $10,000.

Insecticide and fungicide investigations.

Insecticide and fungicide investigations: For the investigation and development of methods of manufacturing insecticides and fungicides, and for investigating chemical problems relating to the composition, action, and application of insecticides and fungicides, $148,984.

Transit inspection.
37 Stat. 315.
7 U. S. C. §§ 161, 164a.

Transit inspection: For the inspection in transit or otherwise of articles quarantined under the Act of August 20, 1912 (U. S. C., title 7, secs. 161, 164a), as amended, and for the interception and disposition of materials found to have been transported interstate in violation of quarantines promulgated thereunder, $44,059.

Foreign plant quarantines.
Mexican cotton, etc.

Foreign plant quarantines: For enforcement of foreign plant quarantines, at the port of entry and port of export, and to prevent the movement of cotton and cottonseed from Mexico into the United States, including the regulation of the entry into the United States of railway cars and other vehicles, and freight, express, baggage, or other materials from Mexico, and the inspection, cleaning, and disinfection thereof, including construction and repair of necessary buildings, plants, and equipment, for the fumigation, disinfection, or cleaning of products, railway cars, or other vehicles entering the United States from Mexico, $680,000: *Provided*, That any moneys received in payment of charges fixed by the Secretary of Agriculture on account of such cleaning and disinfection shall be covered into the Treasury as miscellaneous receipts.

Cleaning, etc.

Proviso.
Receipts covered into Treasury.

Export inspection and certification.

Certification of exports: For the inspection, under such rules and regulations as the Secretary of Agriculture may prescribe, of domestic plants and plant products when offered for export and to certify to shippers and interested parties as to the freedom of such products from injurious plant diseases and insect pests according to the sanitary requirements of the foreign countries affected and to make such reasonable charges and to use such means as may be necessary to accomplish this object, $31,862: *Provided*, That moneys received on account of such inspection and certification shall be covered into the Treasury as miscellaneous receipts.

Proviso.
Receipts covered into Treasury.

Screwworm control.

Screwworm control: For the determination and application of such methods of control of screwworms as, in the judgment of the Secretary of Agriculture, may be necessary, in cooperation with authorities of the States concerned, organizations, or individuals to accomplish such purposes; printing and binding; traveling expenses; research, education, and demonstration; purchase and transportation of materials; construction of treating pens and chutes and such other expenses as may be deemed necessary, $75,000, to be immediately available: *Provided*, That the cooperating State, organization, or individual shall be responsible for the handling and treatment of livestock, including full labor costs: *Provided further*, That

Provisos.
Responsibility in handling, etc., livestock.
Local cooperation.

appropriation shall be expended for control of screwworms in any State until such State or organization, or individuals therein, have made provision for cooperation satisfactory to him: *Provided further*, That no part of this appropriation shall be used to pay the cost or value of animals, farm crops, or other property injured or destroyed.

No payment for property destroyed, etc.

Total, Bureau of Entomology and Plant Quarantine, $5,711,398, of which amount not to exceed $841,693 may be expended for personal services in the District of Columbia, and not to exceed $35,125 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles.

BUREAU OF BIOLOGICAL SURVEY

Biological Survey Bureau.

SALARIES AND EXPENSES

General expenses.

For salaries and employment of labor in the city of Washington and elsewhere, furniture, supplies, including the purchase of bags, tags, and labels printed in the course of manufacture, traveling, and all other expenses necessary in conducting investigations and carrying out the work of the Bureau, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

Salaries, supplies, etc.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, $110,000.

General administrative expenses.

Food habits of birds and animals: For investigating the food habits and economic value of North American birds and animals in relation to agriculture, horticulture, and forestry, including methods of conserving beneficial and controlling injurious birds and animals, $68,140.

Food habits of birds and animals.

Fur-resources investigations: For investigations, experiments, demonstrations, and cooperation in connection with the production and utilization of animals the pelts of which are used commercially for fur, including the erection of necessary buildings and other structures, $66,000.

Fur-resources investigations.

Biological investigations: For biological investigations, including the relations, habits, geographic distribution, and migration of animals and plants, and the preparation of maps of the life zones, and including $30,738 for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (U. S. C., title 16, sec. 581d), and for investigations, experiments, and demonstrations in the establishment, improvement, and increase of the reindeer industry and of musk oxen and mountain sheep in Alaska, including the erection of necessary buildings and other structures, $171,149.

Biological investigations.

45 Stat. 701.
16 U. S. C. § 581d.

Reindeer, musk oxen, etc., in Alaska.

Control of predatory animals and injurious rodents: For investigations, demonstrations, and cooperation in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game; and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals; and for construction, repairs, additions, and installations in and about the grounds and buildings of the game-management supply depot and laboratory at Pocatello, Idaho, including purchase, transportation, and handling of supplies and materials for distribution from said depot to other projects, in accordance with the provisions of the Act approved June 24, 1936 (U. S. C., Supp. II, title 16, sec. 667), $612,000.

Predatory, etc., animals, control.

Pocatello, Idaho, depot and laboratory.

49 Stat. 1913.
16 U. S. C., Supp. II, § 667.

Migratory bird protection.
40 Stat. 755; 49 Stat. 1556.
16 U. S. C. §§ 703–711; Supp. II, §§ 703–709a.

39 Stat. 1702.

Cooperation with local authorities.
35 Stat. 1137.
18 U. S. C. §§ 391–394.
Traffic in injurious, etc., birds.
49 Stat. 380.
18 U. S. C., Supp. II, §§ 392–394.
Carrying illegally-killed birds.
31 Stat. 187.
16 U. S. C. § 701.

Protection of migratory birds: For all necessary expenses for enforcing the provisions of the Migratory Bird Treaty Act of July 3, 1918 (U. S. C., title 16, secs. 703–711), as amended by the Act of June 20, 1936 (U. S. C., Supp. II, title 16, secs. 703–709a), to carry into effect the treaty with Great Britain for the protection of birds migrating between the United States and Canada (39 Stat., p. 1702), and the convention between the United States and the United Mexican States for the protection of migratory birds and game mammals; for cooperation with local authorities in the protection of migratory birds, and for necessary investigations connected therewith; for the enforcement of sections 241, 242, 243, and 244 of the Act approved March 4, 1909 (U. S. C., title 18, secs. 391–394), entitled "An Act to codify, revise, and amend the penal laws of the United States", as amended by title II of the Act approved June 15, 1935 (U. S. C., Supp. II, title 18, secs. 392–394), and for the enforcement of section 1 of the Act approved May 25, 1900 (U. S. C., title 16, sec. 701), entitled "An Act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws and for other purposes", including all necessary investigations in connection therewith, $315,000.

Enforcing Alaska game law.
43 Stat. 739, 46 Stat. 1111.
48 U. S. C. §§ 192–211.

Enforcement of Alaska game law: For the enforcement of the provisions of the Alaska game law, approved January 13, 1925, as amended by the Act of February 14, 1931 (U. S. C., title 48, secs. 192–211), $130,798.

Mammal and bird reservations.

Maintenance of mammal and bird reservations: For the maintenance of the Montana National Bison Range, the Upper Mississippi River Wildlife Refuge, the Bear River Migratory Bird Refuge, the Wichita Mountains Wildlife Refuge, and other reservations, and for the maintenance of game introduced into suitable localities on public lands, under supervision of the Biological Survey, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rockwork, bulkheads, and other improvements necessary for the economical administration and protection of the reservations; for the enforcement of section 84 of the Act approved March 4, 1909 (U. S. C., title 18, sec. 145), entitled "An Act to codify, revise, and amend the penal laws of the United States", and Acts amendatory thereto, and section 10 of the Migratory Bird Conservation Act of February 18, 1929 (U. S. C., title 16, sec. 715i); for the purchase, capture, and transportation of game for national reservations; and for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, $450,000.

Taking eggs on bird-breeding grounds.
35 Stat. 1104; 43 Stat. 98.
18 U. S. C. § 145.
Prohibited acts; law enforcement.
45 Stat. 1224.
16 U. S. C. § 715i.

Long-horned cattle, Wichita Mountains Wildlife Refuge.

Migratory bird conservation refuges.
39 Stat. 1702.

Migratory bird conservation refuges: For carrying into effect the provisions of the Act entitled "An Act to more effectively meet the obligations of the United States under the migratory-bird treaty with Great Britain (39 Stat., pt. 2, p. 1702) by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and water to furnish in perpetuity reservation for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes", approved February 18, 1929, as amended by title III of the Act approved June 15, 1935 (U. S. C., title 16, secs. 715–715r; U. S. C., Supp. II, title 16, secs. 715d–1, 715d–2, 715e, 715e–1), $79,753, authorized by section 12 of the Act, which sum is a part of the remaining $570,393 of the $1,000,000 authorized to be appropriated for the fiscal year ending June 30, 1933.

45 Stat. 1222; 49 Stat. 381.
16 U. S. C. §§ 715–715r; Supp. II, §§ 715d–1–715e–1.

Migratory bird conservation fund: For carrying into effect the provisions of section 4 of the Act entitled "An Act to supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and administering such areas, for the protection of certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes", approved March 16, 1934 (U. S. C., title 16, secs. 718–718h), as amended by an Act entitled "An Act to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other Acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes", approved June 15, 1935 (U. S. C., Supp. II, title 16, secs. 718a–718e), an amount equal to the sum received during the fiscal year 1938 from the proceeds from the sale of stamps, to be warranted monthly; and in addition thereto an amount equal to the unobligated balance on June 30, 1937, of the total of the proceeds received from the sale of stamps prior to July 1, 1937: *Provided*, That the sum of $125,000 shall be advanced from the general fund of the Treasury on the first day of the fiscal year to the foregoing appropriation, to be returned to the surplus fund of the Treasury when the first $125,000 of revenue from the sale of stamps has been received and warranted for the fiscal year 1938.

Migratory bird conservation fund.
48 Stat. 451.
16 U. S. C. § 718.

49 Stat. 378.
16 U. S. C., Supp. II, §§ 718a–718e.

Receipts from stamp sales.

Balance available.

Proviso.
Advance; repayment.

Total, Bureau of Biological Survey, $2,127,840, of which amount not to exceed $547,070 may be expended for personal services in the District of Columbia, and not to exceed $48,785, shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia: *Provided*, That the appropriation of $6,000,000 contained in title VII of the Act of June 15, 1935 (U. S. C., Supp. II, title 16, sec. 715k–1), shall be available for the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed $4,200 thereof may be expended for the purchase of such vehicles, which said sum shall be immediately available for such purpose.

Services in the District.

Vehicles for field work.

Proviso.
Fund available for vehicles.
49 Stat. 384.
16 U. S. C., Supp. II, § 715k–1.

BUREAU OF PUBLIC ROADS

Public Roads Bureau.

For necessary expenses of the Bureau of Public Roads, including salaries and the employment of labor in the city of Washington and elsewhere, supplies, office and laboratory fixtures and apparatus, traveling, and other necessary expenses; for conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; studies of types of mechanical plants and appliances used for road building and maintenance and of methods of road repair and maintenance suited to the needs of different localities; and maintenance and repairs of experimental highways, including the purchase of materials and equipment; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916 (39 Stat., pp. 355–359), as amended, or as otherwise provided.

Salaries and expenses.

Road making experiments, etc.

39 Stat. 355; 42 Stat. 212.
23 U. S. C. §§ 1–25.

Federal-aid highway system.

FEDERAL-AID HIGHWAY SYSTEM

Cooperation with States in constructing rural post roads.
39 Stat. 355; 49 Stat. 1519.
23 U. S. C. §§ 1-25; Supp. II, ch. 1.

For carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916 (39 Stat., pp. 355–359), and all Acts amendatory thereof and supplementary thereto, to be expended in accordance with the provisions of said Act, as amended, including not to exceed $556,000 for departmental personal services in the District of Columbia, $150,000,000, to be immediately available and to remain available until expended, which sum is composed of $25,000,000, the remainder of the sum of $125,000,000 authorized to be appropriated for the fiscal year 1936, by section 4 of the Act approved June 18, 1934 (48 Stat., p. 994), and $125,000,000 authorized to be appropriated for the fiscal year 1937 by said section 4: *Provided*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That not to exceed $45,000 of the funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (U. S. C., title 23, secs. 21 and 23), shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary for carrying out the provisions of said Act, including the replacement of not to exceed one such vehicle for use in the administrative work of the Bureau of Public Roads in the District of Columbia: *Provided further*, That, during the fiscal year 1938, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1938 the appropriations for the work of the Bureau of Public Roads shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Bureau of Public Roads, and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That not to exceed $450,000 from the administrative funds authorized by the Act approved November 9, 1921, and Acts amendatory thereof or supplemental thereto, in addition to the amount remaining available under the authorizations contained in the Agricultural Appropriation Acts approved May 27, 1930, May 17, 1935, and June 4, 1936, shall be available, in the total amount of $1,360,000, for the construction (including the cost of a site already acquired) of a laboratory for permanent quarters for the testing and research work of the Bureau of Public Roads.

Amount immediately available.

48 Stat. 994.

Provisos.
Convict labor.

Vehicles.

42 Stat. 217.
23 U. S. C. §§ 21, 23.

Replacements.

Depreciation on engineering, etc., equipment.

Warehouse maintenance, etc.

Reimbursement for cost of material, etc.

Laboratory construction.
42 Stat. 212.

46 Stat. 805; 49 Stat. 273, 1448.

FEDERAL-AID SECONDARY OR FEEDER ROADS

Federal-aid secondary or feeder roads.

For secondary or feeder roads, including farm-to-market roads, rural free delivery mail roads, and public-school bus routes, $5,000,000, to remain available until expended, which sum is part of the $25,000,000 authorized to be appropriated for the fiscal year 1938 by section 7 of the Act approved June 16, 1936 (49 Stat., p. 1521).

49 Stat. 1521.

ELIMINATION OF GRADE CROSSINGS

Elimination of railroad grade crossings.

For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, $10,000,000, to remain available until expended, which sum is part of the $50,000,000 authorized to be appropriated for the fiscal year 1938 by section 8 of the Act approved June 16, 1936 (49 Stat., p. 1521).

49 Stat. 1521.

PUBLIC-LANDS HIGHWAYS

Public-lands highways.

Construction, etc.

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (U. S. C., title 23, sec. 3), $2,500,000, to be immediately available and to remain available until expended, which sum is the amount authorized for the fiscal year 1938 by section 3 of the Act approved June 16, 1936 (49 Stat., p. 1520): *Provided*, That the authorization of $2,500,000 for the survey, construction, reconstruction, and maintenance of public-lands highways, made applicable to the fiscal year 1938 by the Agricultural Appropriation Act, fiscal year 1937, is hereby canceled.

46 Stat. 805.
23 U. S. C. § 3.

49 Stat. 1520.

Proviso.
Authorization, 1938, canceled.
49 Stat. 1448.

Total, Bureau of Public Roads, $167,500,000.

BUREAU OF AGRICULTURAL ENGINEERING

Agricultural Engineering Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, $37,600.

General administrative expenses.

Agricultural engineering investigations: For investigations, experiments, and demonstrations involving the application of engineering principles to agriculture, independently or in cooperation with Federal, State, county, or other public agencies or with farm bureaus, organizations, or individuals; for investigating and reporting upon the utilization of water in farm irrigation and the best methods to apply in practice; the different kinds of power and appliances; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws affecting irrigation; snow surveys and forecasts of irrigation water supplies, and the drainage of farms and of swamps and other wet lands which may be made available for agricultural purposes; for preparing plans for the removal of surplus water by drainage; for developing equipment for farm irrigation and drainage; for investigating and reporting upon farm domestic water supply and drainage disposal, upon the design and construction of farm buildings and their appurtenances and of buildings for processing and storing farm products; upon farm power and mechanical farm equipment; upon the engineering problems relating to the processing, transportation, and storage of perishable and other agricultural products; and upon the engineering problems involved in adapting physical characteristics of farm land to the use of modern farm machinery; for investigations of cotton ginning under the Act approved April 19, 1930 (U. S. C., title 7, secs. 424, 425); for giving expert advice and assistance in agricultural engineering; for collating, reporting, and illustrating the results of investigations and preparing, publishing, and distributing bulletins, plans, and reports; and for other necessary expenses, including travel, rent, repairs, and not to exceed $5,000 for construction of buildings, $423,169.

Agricultural engineering investigations.

Cotton ginning investigations.
46 Stat. 248.
7 U. S. C. §§ 424, 425.

Services in the District.

Vehicles.

Total, Bureau of Agricultural Engineering, $460,769, of which amount not to exceed $177,729 may be expended for personal services in the District of Columbia, and not to exceed $3,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Agricultural Economics Bureau

BUREAU OF AGRICULTURAL ECONOMICS

SALARIES AND EXPENSES

Salaries and expenses.

For salaries and the employment of labor in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside the District of Columbia, and all other expenses necessary in conducting investigations, experiments, and demonstrations as follows:

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, $236,306.

Farm management and practice.

Farm management and practice: To investigate and encourage the adoption of improved methods of farm management and farm practice, and for ascertaining the cost of production of the principal staple agricultural products, $376,580.

Marketing and distributing farm products.

Promotion of uniform standards.

Cotton and byproducts research.

46 Stat. 248.
7 U. S. C. §§ 424, 425.

Marketing and distributing farm products: For acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing, handling, utilization, grading, transportation, and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, including the demonstration and promotion of the use of uniform standards of classification of American farm products throughout the world, including scientific and technical research into American-grown cotton and its byproducts and their present and potential uses, including new and additional commercial and scientific uses for cotton and its byproducts, and including investigations of cotton ginning under the Act approved April 19, 1930 (U. S. C., title 7, secs. 424, 425), and for collecting and disseminating information on the adjustment of production to probable demand for the different farm and animal products, independently and in cooperation with other branches of the Department, State agencies, purchasing and consuming organizations, and persons engaged in the marketing, handling, utilization, grading, transportation, and distributing of farm and food products, and for investigation of the economic costs of retail marketing of meat and meat products, $808,650, of which $35,000 shall be immediately available: *Provided*, That practical forms of the grades recommended or promulgated by the Secretary for wool and mohair may be sold under such rules and regulations as he may prescribe, and the receipts therefrom deposited in the Treasury to the credit of miscellaneous receipts.

Proviso.
Forms of wool and mohair grades to be sold.

Crop and livestock estimates.

Collecting, etc., data.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops, and numbers, grades, and value of livestock and livestock products on farms, in cooperation with the Extension Service and other Federal, State, and local agencies, $686,289: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton.

Proviso.
Restriction on expenditure.

Securing information as to foreign competition and demand.

Foreign competition and demand: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Depart-

ment of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes", approved June 5, 1930 (U. S. C., title 7, secs. 541–545), and for collecting and disseminating to American producers, importers, exporters, and other interested persons information relative to the world supply of and need for American agricultural products, marketing methods, conditions, prices, and other factors, a knowledge of which is necessary to the advantageous disposition of such products in foreign countries, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distribution of farm and food products, including the purchase of such books and periodicals and not to exceed $1,000 for newspapers as may be necessary in connection with this work, $298,000.

46 Stat. 497.
7 U. S. C. §§ 541–545.
Disseminating information to American producers, etc.

Market inspection of farm products: For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of businessmen or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, or canned, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That certificates issued by the authorized agents of the department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, $426,500.

Market inspection of farm products

Certifying condition of shipment.

Proviso.
Certificates as evidence.

Tobacco Inspection Act: To enable the Secretary of Agriculture to carry into effect the provisions of an Act entitled "An Act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco inspection service, and for other purposes", approved August 23, 1935 (U. S. C., Supp. II, title 7, secs. 511–511q), $275,000.

Tobacco Inspection Act.

49 Stat. 731.
7 U. S. C., Supp. II, §§ 511–511q.

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, tobacco, cottonseed, and seeds, and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the production, transportation, marketing, and distribution of farm and food products, $1,077,000.

Market news service.
Collecting, publishing, etc.

Perishable Agricultural Commodities Act: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce" (U. S. C., title 7, secs. 499a–499r), $143,890.

Perishable Agricultural Commodities Act.

46 Stat. 531.
7 U. S. C. §§ 499a–499r.

Standard Container, Hamper, and Produce Agency Acts: To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other

Standard Container, Hamper, and Produce Agency Acts.

39 Stat. 673; 45 Stat. 685; 48 Stat. 930.
15 U. S. C. §§ 251–256.
15 U. S. C. §§ 257–257i.
Antidumping Act.
44 Stat. 1355.
7 U. S. C. §§ 491–497.

containers for small fruits, berries, and vegetables, and for other purposes", approved August 31, 1916 (U. S. C., title 15, secs. 251–256), the Act entitled "An Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes", approved May 21, 1928 (U. S. C., title 15, secs. 257–257i), and the Act entitled "An Act to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them", approved March 3, 1927 (U. S. C., title 7, secs. 491–497), including the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, $30,238.

Peanut statistics.
49 Stat. 1898.
7 U. S. C., Supp. II, §§ 951–957

Peanut stocks and standards: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the collection and publication of statistics of peanuts by the Department of Agriculture", approved June 24, 1936 (U. S. C., Supp. II, title 7, secs. 951–957), $10,000.

Tobacco stocks and standards, statistics.
45 Stat. 1079; 47 Stat. 662.
7 U. S. C. §§ 501–508.

Tobacco stocks and standards: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929 (U. S. C., title 7, secs. 501–508), including the employment of persons and means in the city of Washington and elsewhere, $17,187.

Cotton statistics.
44 Stat. 1372.
7 U. S. C. §§ 471–476.

Cotton grade and staple statistics: To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927 (U. S. C., title 7, secs. 471–476), $224,517.

Cotton Futures Act.
39 Stat. 476; 40 Stat. 1351.
26 U. S. C. §§ 1090–1106.
Cotton Standards Act.
42 Stat. 1517.
7 U. S. C. §§ 51–65.

United States Cotton Futures and United States Cotton Standards Acts: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Cotton Futures Act, as amended March 4, 1919 (U. S. C., title 26, secs. 1090–1106), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923 (U. S. C., title 7, secs. 51–65), including all expenses necessary for the purchase of equipment and supplies; for travel; for the employment of persons in the city of Washington and elsewhere; and for all other expenses, including rent outside the District of Columbia, that may be necessary in executing the provisions of these Acts, including such means as may be necessary for effectuating agreements heretofore or hereafter made with cotton associations, cotton exchanges, and other cotton organizations in foreign countries, for the adoption, use, and observance of universal standards of cotton classification, for the arbitration or settlement of disputes with respect thereto, and for the preparation, distribution, inspection, and protection of the practical forms or copies thereof under such agreements, $501,900.

Effectuating agreements as to standards, etc., in foreign countries.

Grain Standards Act, enforcement.
39 Stat. 482.
7 U. S. C. §§ 71–87.

United States Grain Standards Act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Grain Standards Act, including rent outside the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $723,941.

Warehouse Act, administration.
39 Stat. 486.
7 U. S. C. §§ 241–273.

United States Warehouse Act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States Warehouse Act, including the payment of such rent outside the District of Columbia and the employment of such persons and means as the Secretary of Agriculture may deem necessary in the city of Washington and elsewhere, $326,700.

In all, salaries and expenses, $6,162,698.

WOOL MARKETING STUDIES

Wool marketing studies.

Not to exceed $50,000 of the funds collected from persons, firms, or corporations which handled any part of the wool clip of 1918, which the Secretary of Agriculture finds it impracticable to distribute among woolgrowers, shall be deposited in the Treasury to the credit of a special fund which is hereby appropriated for the fiscal year 1938 for the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize the appropriation for use by the Secretary of Agriculture of certain funds for wool standards, and for other purposes", approved May 17, 1928 (U. S. C., title 7, secs. 415b–415d), including personal services and other necessary expenses in the District of Columbia and elsewhere.

Appropriation of certain funds.

Establishing wool standards. 45 Stat. 593. 7 U. S. C. §§ 415b–415d.

Total, Bureau of Agricultural Economics, $6,212,698, of which amount not to exceed $2,223,469 may be expended for personal services in the District of Columbia, and not to exceed $30,300 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles.

BUREAU OF HOME ECONOMICS

Home Economics Bureau.

SALARIES AND EXPENSES

Salaries and expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, $31,735.

General administrative expenses.

Home economics investigations: For conducting either independently or in cooperation with other agencies, investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and for disseminating useful information on this subject, including travel and all other necessary expenses, $213,350.

Home economics investigations.

Total, Bureau of Home Economics, $245,085, of which amount not to exceed $223,280 may be expended for personal services in the District of Columbia.

Services in the District.

ENFORCEMENT OF THE COMMODITY EXCHANGE ACT

Commodity Exchange Act.

To enable the Secretary of Agriculture to carry into effect the provisions of the Grain Futures Act, approved September 21, 1922 (U. S. C., title 7, secs. 1–17), as amended by the Commodity Exchange Act of June 15, 1936 (U. S. C., Supp. II, title 7, secs. 1–17a), $500,000, to be immediately available, of which amount not to exceed $190,000 may be expended for personal services in the District of Columbia.

Enforcement expenses. 42 Stat. 998; 49 Stat. 1491. 7 U. S. C. §§ 1–17; Supp. II, §§ 1–17a.

Services in the District.

FOOD AND DRUG ADMINISTRATION

Food and Drug Administration.

SALARIES AND EXPENSES

Salaries and expenses.

For all necessary expenses, for chemical apparatus, chemicals, and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, for the employment of such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes named, in the city of Washington and elsewhere, in conducting investigations; collecting, reporting, and illustrating the results of such investigations; and for rent outside the District of Columbia for carrying out the investigations and work herein authorized, as follows:

Items specified.

Outside rent.

General administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of administration and other personal services in the District of Columbia, $100,802.

Food and Drugs Act, enforcement. 34 Stat. 768. 21 U. S. C. §§ 1–15.

Enforcement of the Food and Drugs Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of June 30, 1906 (U. S. C., title 21, secs. 1–15), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated, or misbranded, or poisonous, or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", as amended; to cooperate with associations and scientific societies in the revision of the United States pharmacopoeia and development of methods of analysis, and for investigating the character of the chemical and physical tests which are applied to American food products in foreign countries, and for inspecting the same before shipment when desired by the shippers or owners of these products intended for countries where chemical and physical tests are required before the said products are allowed to be sold therein, $1,750,000: *Provided*, That not more than $4,280 shall be used for travel outside the United States.

Revision of Pharmacopoeia, etc.

Foreign tests of American food products.

Proviso. Travel restriction.

Tea Importation Act, enforcement. 29 Stat 604; 41 Stat. 712. 21 U. S. C. §§ 41–50.

Enforcement of the Tea Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act approved March 2, 1897 (U. S. C., title 21, secs. 41–50), entitled "An Act to prevent the importation of impure and unwholesome tea", as amended, including payment of compensation and expenses of the members of the board appointed under section 2 of the Act and all other necessary officers and employees, $40,094.

Naval Stores Act. 42 Stat. 1435. 7 U. S. C. §§ 91–99.

Naval Stores Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Naval Stores Act of March 3, 1923 (U. S. C., title 7, secs. 91–99), $34,700.

Insecticide Act, enforcement. 36 Stat. 331. 7 U. S. C. §§ 121–134.

Enforcement of the Insecticide Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of April 26, 1910 (U. S. C., title 7, secs. 121–134), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes", $208,180.

Milk Importation Act, enforcement. 44 Stat 1101. 21 U. S. C. §§ 141–149.

Enforcement of the Milk Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved February 15, 1927 (U. S. C., title 21, secs. 141–149), entitled "An Act to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health", $19,241.

Caustic Poison Act, enforcement. 44 Stat. 1406. 15 U. S. C. §§ 401–411.

Enforcement of the Caustic Poison Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved March 4, 1927 (U. S. C., title 15, secs. 401–411), entitled "An Act to safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalies, and other substances in interstate and foreign commerce", $24,741.

Filled Milk Act, enforcement. 42 Stat. 1486; 49 Stat. 885. 21 U. S. C. §§ 61–63; Supp. II, § 64.

Enforcement of the Filled Milk Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to prohibit the shipment of filled milk in interstate or foreign commerce", approved March 4, 1923 (U. S. C., title 21, secs. 61–63), as amended by the Act of August 27, 1935 (U. S. C., Supp. II, title 21, sec. 64), $10,000.

Sea Food Inspectors Act, enforcement.

Enforcement of the Sea Food Inspectors Act: For personal services of sea food inspectors designated to examine and inspect sea food and the production, packing, and labeling thereof upon the applica-

tion of any packer of any sea food for shipment or sale within the jurisdiction of the Federal Food and Drugs Act, in accordance with the provisions of an Act entitled "An Act to amend section 10A of the Federal Food and Drugs Act of June 30, 1906, as amended", approved August 27, 1935 (U. S. C., Supp. II, title 21, sec. 14a), $40,000.

34 Stat. 768.
21 U. S. C. §§ 1-5, 7-15.

49 Stat. 871.
21 U. S. C., Supp. II, § 14a.

Total, Food and Drug Administration, $2,227,758, of which amount not to exceed $636,112 may be expended for personal services in the District of Columbia, and not to exceed $20,320 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Services in the District.

Vehicles.

SOIL CONSERVATION SERVICE

Soil Conservation Service.

SALARIES AND EXPENSES

To carry out the provisions of an Act entitled "An Act to provide for the protection of land resources against soil erosion and for other purposes", approved April 27, 1935 (U. S. C., Supp. II, title 16, secs. 590a–590e), which provides for a national program of erosion control and soil and moisture conservation to be carried out directly and in cooperation with other agencies; including printing and binding, purchase of books and periodicals, rent in the District of Columbia, furnishing of subsistence to employees, training of employees, and the purchase and erection of permanent buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed $2,500 except where buildings are acquired in conjunction with land being purchased for other purposes and except for twenty buildings to be constructed at a cost not to exceed $15,000 per building: *Provided further*, That no money appropriated in this Act shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That during the fiscal year 1938 the appropriations for the work of the Soil Conservation Service shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Soil Conservation Service and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling), to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured from the appropriations chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That reproductions of such aerial or other photographs, mosaics, and maps as shall be required in connection with the authorized work of the Soil Conservation Service may be furnished at the cost of reproduction to Federal, State, county, or municipal agencies requesting such reproductions, the money received from such sales to be deposited in the Treasury to the credit of this appropriation; as follows:

Salaries and expenses.
49 Stat. 163.
16 U. S. C., Supp. II, §§ 590a-590e.

Printing and binding.

Provisos.
Cost of buildings.

Construction on Government-owned land.

Warehouse maintenance, etc.

Supplies.

Reproductions of photographs, etc.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief of the Soil Conservation Service and other personal services in the District of Columbia, $675,000: *Provided*, That no part of the money appropriated in this paragraph shall be available for expenditure if any emergency or other appropriations are made available for administrative expenses in administering the funds provided in regular appropriations to the Soil Conservation Service.

General administrative expenses.

Proviso.
Restriction.

Soil and moisture conservation and land-use investigations.

Soil and moisture conservation and land-use investigations: For research and investigations into the character, cause, extent, history, and effects of erosion and soil and moisture depletion and methods for soil and moisture conservation, including construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, and other necessary expenses, $1,540,780.

Soil and moisture conservation operations, etc.

Soil and moisture conservation operations, demonstrations, and information: For carrying out preventive measures to conserve soil and moisture; including such special measures as may be necessary to prevent floods and the siltation of reservoirs, the establishment and operation of erosion nurseries, the making of conservation plans and surveys, the dissemination of information, and other necessary expenses, $22,175,000.

Services in the District.

Vehicles.

Total, Soil Conservation Service, $24,390,780, of which not to exceed $1,780,000 may be expended for personal services in the District of Columbia, and not to exceed $100,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia and not to exceed $850 for the purchase of one passenger-carrying vehicle for use in the District of Columbia.

Conservation and use of agricultural land resources.

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES, DEPARTMENT OF AGRICULTURE

Administrative expenses.
49 Stat. 1148.
16 U. S. C., Supp. II, §§ 590g–590q.
Post, p. 761.

To enable the Secretary of Agriculture to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936 (U. S. C., Supp. II, title 16, secs. 590g–590q), including the employment of personal services and rent in the District of Columbia and elsewhere; printing and binding; purchase of law books, books of reference, periodicals, and newspapers; and other necessary expenses, $340,000,000, together with not to exceed $110,000,000 of the funds made available for the fiscal years 1937 and 1938 by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (U. S. C., Supp. II, title 7, sec. 612c): *Provided*, That the unobligated funds made available for the fiscal year 1937 be first transferred, and not to exceed $50,000,000 of the unexpended balance of the appropriation of $100,000,000 provided under section 12 (a), title I, of the Agricultural Adjustment Act of May 12, 1933 (U. S. C., Supp. II, title 7, sec. 612), in all, not to exceed $500,000,000, to remain available until June 30, 1939, for compliances under said Act of February 29, 1936, pursuant to the provisions of the 1937 programs carried out during the period November 1, 1936, to December 31, 1937, inclusive: *Provided*, That no part of such amount shall be available after June 30, 1938, for salaries and other administrative expenses except for payment of obligations therefor incurred prior to July 1, 1938: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of the 1938 programs or plans now or hereafter authorized under section 7 or 8, or both, of said Act: *Provided further*, That the Secretary of Agriculture may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of the General Accounting Office in auditing payments under this item: *Provided further*, That such amount shall be available for the purchase of seeds, fertilizers, or any other farming materials and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secre-

49 Stat. 774, 1151.
7 U. S. C., Supp. II, § 612c.

Provisos.
Designated funds available for administration.

Use restricted.

Amount available for 1938 programs.

Transfer of funds.

Purchase of seed, etc., and issuance to producers.

tary of Agriculture in the 1937 programs, for the reimbursement of the Tennessee Valley Authority for fertilizers heretofore or hereafter furnished by it to the Secretary of Agriculture for such purpose, and for the payment of all expenses necessary in making such grants including all or part of the costs incident to the delivery thereof: *Provided further*, That not to exceed $5,000,000 of the funds appropriated under section 2 of the "Independent Offices Appropriation Act, 1937" is hereby made available, subject to the limitations prescribed therein, for compliances in the calendar year 1937 under the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, but obligations incurred hereunder with respect to such compliances shall not be included in applying the limitations on the amount of obligations which may be incurred for any calendar year contained in section 16 of said Soil Conservation and Domestic Allotment Act: *And provided further*, That the funds provided by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935 (U. S. C., Supp. II, title 7, sec. 612c), shall be available during the fiscal year 1938 for administrative expenses in such sums as the President may direct in carrying out the provisions of said section, including the employment of persons and means in the District of Columbia and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by Agricultural Adjustment Administration.

Tennessee Valley Authority, reimbursement.

49 Stat. 1183.
Funds available for compliances, Soil Conservation, etc., Act.

49 Stat. 1148.
Incurred obligations.

Encouraging foreign trade.
49 Stat 774.
7 U. S. C., Supp. II, § 612c.

INTERCHANGE OF APPROPRIATIONS

Not to exceed 10 per centum of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 10 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture: *Provided*, That a statement of any transfers of appropriations made hereunder shall be included in the annual Budget.

Interchange of appropriations.

Proviso.
Statement to be included in Budget.

MISCELLANEOUS

Miscellaneous.

WORK FOR OTHER DEPARTMENTS

Work for other Departments.

Transfer of funds for inspection, etc., of food, authorized.

During the fiscal year 1938 the head of any department or independent establishment of the Government requiring inspections, analyses, and tests of food and other products, within the scope of the functions of the Department of Agriculture and which that Department is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Agriculture transfer to the Department of Agriculture for direct expenditure such sums as may be necessary for the performance of such work.

PASSENGER-CARRYING VEHICLES

Passenger vehicles.

Purchase of, from lump-sum appropriations, for field work.

Within the limitations specified under the several headings the lump-sum appropriations herein made for the Department of Agriculture shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District of Columbia: *Provided*, That such vehicles shall be used only for official service outside the District of Columbia, but this shall not pre-

Provisos.
Use restricted.

Interchangeable funds.

vent the continued use for official service of motor trucks in the District of Columbia: *Provided further*, That the limitation on expenditures for purchase of passenger-carrying vehicles in the field service shall be interchangeable between the various bureaus and offices of the Department, to such extent as the exigencies of the service may require: *Provided further*, That appropriations contained in this Act shall be available for the maintenance, operation, and repair of motor-propelled and horse-drawn passenger-carrying vehicles: *Provided further*, That the Secretary of Agriculture may exchange motor-propelled and horse-drawn vehicles, tractors, road equipment, and boats, and parts, accessories, tires, or equipment thereof, in whole or in part payment for vehicles, tractors, road equipment, or boats, or parts, accessories, tires, or equipment of such vehicles, tractors, road equipment, or boats purchased by him: *Provided further*, That the funds available to the Agricultural Adjustment Administration may be used during the fiscal year for which appropriations are herein made for the maintenance, repair, and operation of one passenger-carrying vehicle for official purposes in the District of Columbia.

Availability for maintenance, etc.

Exchanges allowed.

Agricultural Adjustment Administration funds; use of, for vehicle maintenance, etc.

Beltsville Research Center.

BELTSVILLE RESEARCH CENTER

General expenses.

Additional funds.

For general administrative purposes, including maintenance, operation, repairs, and other expenses, $75,000; and, in addition thereto, this appropriation may be augmented, by transfer of funds or by reimbursement, from applicable appropriations, to cover the cost, including handling and other related charges, of services and supplies, equipment and materials furnished, stores of which may be maintained at the Center, and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation: *Provided*, That not to exceed $600 may be expended from this appropriation for the purchase of one passenger-carrying automobile for official purposes.

Proviso.
Purchase of automobile.

International production control committees.
Expenses.
Post, p. 762.

INTERNATIONAL PRODUCTION CONTROL COMMITTEES

During the fiscal year 1938 the Secretary of Agriculture may expend not to exceed $7,500 from the funds available to the Agricultural Adjustment Administration for the share of the United States as a member of the International Wheat Advisory Committee or like events or bodies concerned with the reduction of agricultural surpluses or other objectives of the Agricultural Adjustment Administration, together with traveling and all other necessary expenses relating thereto.

International Wheat Advisory Committee.

Diseased cattle, elimination of.

ELIMINATION OF DISEASED CATTLE, DEPARTMENT OF AGRICULTURE

Expenses.
49 Stat. 775.
7 U. S. C., Supp. II, § 612b.

Amount reappropriated.
48 Stat. 805.

For carrying into effect the provisions of section 37 of the Act entitled "An Act to amend the Agricultural Adjustment Act and for other purposes", approved August 24, 1935 (U. S. C., Supp. II, title 7, sec. 612b), $5,119,135, the unobligated balance of the $21,364,000 made available under this head for the fiscal year 1937 by the Agricultural Appropriation Act for that year, and $10,744,865 of the unobligated balance of the funds appropriated by Public Resolution Numbered 27, Seventy-third Congress (48 Stat., p. 805), and reappropriated by said section 37 of the Act approved August 24, 1935, are hereby made available as one fund for obligation during the fiscal year 1938 for the elimination of diseased dairy and beef cattle, including cattle suffering from tuberculosis or Bang's disease, for payments to owners with respect thereto, and for experimenta-

Payment to owners.

tion, as authorized by said section 37, including the employment of persons and means in the District of Columbia and elsewhere, printing and binding, the purchase, maintenance, operation, and repair of passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, and other necessary expenses: *Provided*, That $2,000,000 of the amount herein reappropriated may be used only in those States which have made appropriations for indemnifying the owners of cattle reacting to the test for Bang's disease.

Printing and binding.

Proviso.
State contributions.

FOREST ROADS AND TRAILS

Forest highways.

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921 (U. S. C., title 23, sec. 23), including not to exceed $115,260 for departmental personal services in the District of Columbia, $12,500,000, which sum is composed of $5,500,000, the balance of the amount authorized to be appropriated for the fiscal year 1937, by the Act approved June 18, 1934, and $7,000,000, part of the sum of $14,000,000 authorized to be appropriated for the fiscal year 1938 by the Act approved June 16, 1936, to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, or construction of buildings necessary for the storage of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased or constructed under this authorization shall not exceed $7,500: *Provided further*, That for each of the fiscal years ending June 30, 1938, and June 30, 1939, the apportionment for forest highways in Alaska shall be $350,000 and the remainder of the sums which otherwise would be apportioned and prorated to Alaska for said fiscal years shall be reapportioned in the same manner and on the same basis as provided in the second paragraph of section 23 (a) of the Federal Highway Act among those States whose forest highway apportionments for the fiscal years 1938 and 1939 otherwise would be less than 1 per centum of the entire apportionment for forest highways: *Provided further*, That there shall be available from this appropriation not to exceed $10,000 for the acquisition of land by purchase, condemnation, gift, grant, dedication, or otherwise, and not to exceed $150,000 for the acquisition by purchase or construction of buildings, for the storage and repair of Government equipment for use in the construction and maintenance of roads.

Forest roads and trails.
42 Stat. 218, 661.
23 U. S. C. § 23.

48 Stat. 993.

Provisos.
Availability of appropriation.

Forest highways in Alaska.
Prorating of sums.

Acquisition of land.

This title may be cited as the "Department of Agriculture Appropriation Act, 1938".

Short title.

TITLE II—FARM CREDIT ADMINISTRATION

Title II—Farm Credit Administration.

SALARIES AND EXPENSES

For salaries and expenses of the Farm Credit Administration in the District of Columbia and the field; traveling expenses of officers and employees including not to exceed $5,000 for travel incurred under proper authority attending meetings or conventions of members of organizations at which matters of importance to the work of the Farm Credit Administration are to be discussed or transacted; printing and binding; contingent and miscellaneous expenses, including law books, books of reference, and not to exceed $750 for periodicals, newspapers, and maps; contract stenographic reporting services, and expert services for the preparation of amortization tables; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; purchase of

Salaries and expenses.

Travel expenses.

Printing and binding.

manuscripts, data, and special reports by personal service without regard to the provisions of any other Act; procurement of supplies and services without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) when the aggregate amount involved does not exceed $50; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles and motor trucks to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; garage rental in the District of Columbia and elsewhere; payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Farm Credit Administration; employment of persons, firms, and others for the performance of special services, including legal services, and other miscellaneous expenses; collection of moneys due the United States on account of loans made under the provisions of the Acts of March 3, 1921 (41 Stat., p. 1347), March 20, 1922 (42 Stat., p. 467), April 26, 1924 (43 Stat., p. 110), February 28, 1927 (44 Stat., p. 1251), February 25, 1929 (45 Stat., p. 1306), as amended May 17, 1929 (46 Stat., p. 3), March 3, 1930 (46 Stat., pp. 78, 79), December 20, 1930 (46 Stat., p. 1032), February 14, 1931 (46 Stat., p. 1160), and February 23, 1931 (46 Stat., p. 1276); January 22, 1932 (47 Stat., p. 5), February 4, 1933 (47 Stat., p. 795), March 4, 1933 (47 Stat., p. 1547), February 23, 1934 (48 Stat., p. 354), March 10, 1934 (48 Stat., p. 402), June 19, 1934 (48 Stat., p. 1021), February 20, 1935 (49 Stat., p. 28), March 21, 1935 (49 Stat., p. 49), April 8, 1935 (49 Stat., p. 115), and Executive Order Numbered 7305, dated February 28, 1936; examination of corporations, banks, associations, credit unions, and institutions operated, supervised, or regulated by the Farm Credit Administration: *Provided*, That the expenses and salaries of employees engaged in such examinations shall be assessed against the said corporations, banks, or institutions in accordance with the provisions of existing laws; in all, $4,000,000, together with not to exceed $2,950,000 from the funds made available under section 5 of the Emergency Crop Loan Act of February 23, 1934 (48 Stat., p. 354), Public Resolution Numbered 16, Seventy-third Congress, approved March 10, 1934 (48 Stat., p. 402) under the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat., pp. 1021, 1056), and under section 5 (a) of the Emergency Crop Loan Act of February 20, 1935 (49 Stat., p. 28).

R S § 3709.
41 U. S. C. § 5.

Vehicles.

Transportation and subsistence.

Collection of loans under designated Acts.

Examinations, etc.

Proviso.
Assessment for expenses.

Additional funds.

48 Stat. 355.

48 Stat. 402, 1021, 1056.

49 Stat. 29, 49.

FEDERAL FARM MORTGAGE CORPORATION

Federal Farm Mortgage Corporation.

Administrative expenses.
48 Stat. 344.

Not to exceed $15,000,000 of the funds of the Federal Farm Mortgage Corporation, established by the Act of January 31, 1934 (48 Stat., p. 344), shall be available during the fiscal year 1938 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses of officers and employees of the Corporation, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (U. S. C., title 5, secs. 821–833); printing and binding; law books, books of reference, and not to exceed $250 for periodicals and newspapers; contract stenographic reporting services; procurement of supplies, equipment, and services; purchase (at not to exceed $750 each), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia

Travel expenses.
44 Stat. 688.
5 U. S. C. §§ 821–833.

Printing and binding.

Vehicles.

Labor-saving devices.

and elsewhere; payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Corporation; employment on a contract or fee basis of persons, firms, and corporations for the performance of special services, including legal services; use of the services and facilities of Federal land banks, national farm loan associations, Federal Reserve banks, and agencies of the Government as authorized by said Act of January 31, 1934; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a force account, contract or fee basis, but not including other personal services) in connection with the operation, maintenance, improvement, or disposition of real or personal property of the Corporation shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed and paid, in accordance with the provisions of said Act of January 31, 1934, as amended (U. S. C., title 12, secs. 1016–1020 (h)).

Special services.

48 Stat. 344.

Provisos
Necessary expenditures considered nonadministrative expenses.

Incurring, etc., obligations.

48 Stat. 344.
12 U. S. C. §§ 1016-1020h.

This title may be cited as the "Farm Credit Administration Appropriation Act of 1938".

Short title.

Approved, June 29, 1937.

[CHAPTER 405]

AN ACT

To levy an excise tax upon carriers and certain other employers and an income tax upon their employees, and for other purposes.

June 29, 1937
[H. R. 7589]
[Public, No. 174]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Carriers Taxing Act of 1937.

DEFINITIONS

Definitions.

SECTION 1. That as used in this Act—

(a) The term "employer" means any carrier (as defined in subsection (i) of this section), and any company which is directly or indirectly owned or controlled by one or more such carriers or under common control therewith, and which operates any equipment or facility or performs any service (except trucking service, casual service, and the casual operation of equipment or facilities) in connection with the transportation of passengers or property by railroad, or the receipt, delivery, elevation, transfer in transit, refrigeration or icing, storage, or handling of property transported by railroad, and any receiver, trustee, or other individual or body, judicial or otherwise, when in the possession of the property or operating all or any part of the business of any such employer: *Provided, however*, That the term "employer" shall not include any street, interurban, or suburban electric railway, unless such railway is operating as a part of a general steam-railroad system of transportation, but shall not exclude any part of the general steam-railroad system of transportation now or hereafter operated by any other motive power. The Interstate Commerce Commission is hereby authorized and directed upon request of the Commissioner of Internal Revenue, or upon complaint of any party interested, to determine after hearing whether any line operated by electric power falls within the terms of this proviso. The term "employer" shall also include railroad associations, traffic associations, tariff bureaus, demurrage bureaus,

"Employer."

Proviso.
Street, etc., electric railways excluded.

Line operated by electric power.

Inclusive of designated associations, bureaus, agencies, etc.

weighing and inspection bureaus, collection agencies and other associations, bureaus, agencies, or organizations controlled and maintained wholly or principally by two or more employers as hereinbefore defined and engaged in the performance of services in connection with or incidental to railroad transportation; and railway labor organizations, national in scope, which have been or may be organized in accordance with the provisions of the Railway Labor Act, as amended, and their State and National legislative committees and their general committees and their insurance departments and their local lodges and divisions, established pursuant to the constitution and bylaws of such organizations.

45 U. S. C. §§ 151–164; Supp. II, §§ 181–188.

"Employee."

(b) The term "employee" means any person in the service of one or more employers for compensation: *Provided, however*, That the term "employee" shall include an employee of a local lodge or division defined as an employer in subsection (a) only if he was in the service of or in the employment relation to a carrier on or after August 29, 1935. An individual is in the employment relation to a carrier if he is on furlough, subject to call for service within or outside the United States and ready and willing to serve, or on leave of absence, or absent on account of sickness or disability; all in accordance with the established rules and practices in effect on the carrier: *Provided further*, That an individual shall not be deemed to have been on August 29, 1935, in the employment relation to a carrier not conducting the principal part of its business in the United States unless during the last pay-roll period in which he rendered service to it prior to said date, he rendered service to it in the United States.

Provisos.
Status of local lodge employee, etc.

Relationship, if on furlough, etc.

Persons not deemed in employment relationship.

"Employee representative."

(c) The term "employee representative" means any officer or official representative of a railway labor organization other than a labor organization included in the term "employer" as defined in section 1 (a), who before or after the enactment hereof was in the service of an employer as defined in section 1 (a) and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, as amended, and any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his office.

Persons deemed in service of employer.

(d) An individual is in the service of an employer whether his service is rendered within or without the United States if he is subject to the continuing authority of the employer to supervise and direct the manner of rendition of his service, which service he renders for compensation: *Provided, however*, That an individual shall be deemed to be in the service of an employer not conducting the principal part of its business in the United States only when he is rendering service to it in the United States.

Proviso.
Employer not conducting principal business in United States.

"Compensation."

(e) The term "compensation" means any form of money remuneration earned by an individual for services rendered as an employee to one or more employers, or as an employee representative, including remuneration paid for time lost as an employee, but remuneration paid for time lost shall be deemed earned in the month in which such time is lost. Such term does not include tips, or the voluntary payment by an employer, without deduction from the remuneration of the employee, of the tax imposed on such employee by section 2 of this Act. Compensation which is earned during the period for which the Commissioner of Internal Revenue shall require a return of taxes hereunder to be made and which is payable during the calendar month following such period shall be deemed to have been paid during such period only.

Tips, etc., not included.

Tax return.

"United States."

(f) The term "United States" when used in a geographical sense means the States, Alaska, Hawaii, and the District of Columbia.

(g) The term "company" includes corporations, associations, and joint-stock companies. "Company."

(h) The term "employee" includes an officer of an employer. "Employee" to include officer, etc.

(i) The term "carrier" means an express company, sleeping-car company, or carrier by railroad, subject to part I of the Interstate Commerce Act. "Carrier."

(j) The term "person" means an individual, a partnership, an association, a joint-stock company, or a corporation. "Person."

INCOME TAX ON EMPLOYEES

Income tax on employees.

SEC. 2. (a) In addition to other taxes, there shall be levied, collected, and paid upon the income of every employee a tax equal to the following percentages of so much of the compensation of such employee as is not in excess of $300 for any calendar month, earned by him after December 31, 1936— Additional to other taxes.

1. With respect to compensation earned during the calendar years 1937, 1938, and 1939, the rate shall be 2¾ per centum; Rates.

2. With respect to compensation earned during the calendar years 1940, 1941, and 1942, the rate shall be 3 per centum;

3. With respect to compensation earned during the calendar years 1943, 1944, and 1945, the rate shall be 3¼ per centum;

4. With respect to compensation earned during the calendar years 1946, 1947, and 1948, the rate shall be 3½ per centum;

5. With respect to compensation earned after December 31, 1948, the rate shall be 3¾ per centum;

(b) The tax imposed by this section shall be collected by the employer of the taxpayer by deducting the amount of the tax from the compensation of the employee as and when paid. If an employee is paid compensation by more than one employer with respect to any calendar month, then, under regulations made under this Act, the Commissioner of Internal Revenue may prescribe the proportion of the tax to be deducted by each employer from the compensation paid by him to the employee with respect to such month. Every employer required under this subsection to deduct the tax is hereby made liable for the payment of such tax and shall not be liable to any person for the amount of any such payment. Collection by employer. Compensation paid by more than one employer. Liability for payment.

(c) If more or less than the correct amount of tax imposed by this section is paid with respect to any compensation payment, then, under regulations made under this Act by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, proper adjustments, with respect both to the tax and the amount to be deducted, shall be made, without interest, in connection with subsequent compensation payments to the same employee by the same employer. Adjustments.

EXCISE TAX ON EMPLOYERS

Excise tax on employers.

SEC. 3. (a) In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of so much of the compensation as is not in excess of $300 for any calendar month paid by him to any employee for services rendered to him after December 31, 1936: *Provided, however*, That if an employee is paid compensation by more than one employer with respect to any such calendar month, the tax imposed by this section shall apply to not more than $300 of the aggregate compensation paid to said employee by all said employers with respect to such calendar month, and each such employer shall be liable for that proportion of the tax with respect to such compensation which his payment to the employee with respect to such cal- Additional to other taxes. *Proviso.* Compensation paid by more than one employer Liability for payment.

endar month bears to the aggregate compensation paid to such employee by all employers with respect to such calendar month:

Rates.

1. With respect to compensation paid to employees for services rendered during the calendar years 1937, 1938, and 1939, the rate shall be 2¾ per centum;

2. With respect to compensation paid to employees for services rendered during the calendar years 1940, 1941, and 1942, the rate shall be 3 per centum;

3. With respect to compensation paid to employees for services rendered during the calendar years 1943, 1944, and 1945, the rate shall be 3¼ per centum;

4. With respect to compensation paid to employees for services rendered during the calendar years 1946, 1947, and 1948, the rate shall be 3½ per centum;

5. With respect to compensation paid to employees for services rendered after December 31, 1948, the rate shall be 3¾ per centum.

Adjustments.

(b) If more or less than the correct amount of the tax imposed by this section is paid with respect to any compensation payment, then, under regulations made by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, proper adjustments with respect to the tax shall be made, without interest, in connection with subsequent excise-tax payments made by the same employer.

REFUNDS AND DEFICIENCIES

Refunds and deficiencies.

SEC. 4. If more or less than the correct amount of the tax imposed by section 2 (a) or 3 (a) of this Act is paid or deducted with respect to any compensation payment and the overpayment or underpayment of the tax cannot be adjusted under section 2 (c) or 3 (b), the amount of the overpayment shall be refunded, or the amount of the underpayment shall be collected in such manner and at such times (subject to the statute of limitations properly applicable thereto) as may be prescribed by regulations under this Act as made by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury.

Rules governing.

Income tax on employee representatives.

INCOME TAX ON EMPLOYEE REPRESENTATIVES

Additional to other taxes.

SEC. 5. In addition to other taxes, there shall be levied, collected, and paid upon the income of each employee representative a tax equal to the following percentages of so much of the compensation of such employee representative as is not in excess of $300 for any calendar month, earned by him after December 31, 1936:

Rates.

1. With respect to compensation earned during the calender years 1937, 1938, and 1939, the rate shall be 5½ per centum;

2. With respect to compensation earned during the calendar years 1940, 1941, and 1942, the rate shall be 6 per centum;

3. With respect to compensation earned during the calendar years 1943, 1944, and 1945, the rate shall be 6½ per centum;

4. With respect to compensation earned during the calendar years 1946, 1947, and 1948, the rate shall be 7 per centum;

5. With respect to compensation earned after December 31, 1948, the rate shall be 7½ per centum.

Determination of compensation.

The compensation of an employee representative for the purpose of ascertaining the tax thereon shall be determined in the same manner and with the same effect as if the employee organization by which such employee representative is employed were an employer as defined in section 1 (a) of this Act.

DEDUCTIBILITY FROM INCOME TAX

Deductibility from income tax.

SEC. 6. For the purposes of the income tax imposed by title I of the Revenue Act of 1936 or by any Act of Congress in substitution therefor, the taxes imposed by sections 2 and 5 of this Act shall not be allowed as a deduction to the taxpayer in computing his net income.

Restrictions. 49 Stat. 1652. *Ante*, pp. 437, 438.

COLLECTION AND PAYMENT OF TAXES

Collection and payment of taxes.

SEC. 7. (a) The taxes imposed by this Act shall be collected by the Bureau of Internal Revenue and shall be paid into the Treasury of the United States as internal-revenue collections.

Procedure

(b) The taxes imposed by this Act shall be collected and paid quarterly or at such other times and in such manner and under such conditions not inconsistent with this Act as may be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury. If a tax imposed by this Act is not paid when due, there shall be added as part of the tax (except in the case of adjustments made in accordance with the provisions of this Act) interest at the rate of 6 per centum per annum from the date the tax became due until paid.

Interest charge on defaulted payment.

(c) All provisions of law, including penalties, applicable with respect to any tax imposed by section 600 or section 800 of the Revenue Act of 1926, and the provisions of section 607 of the Revenue Act of 1934, insofar as applicable and not inconsistent with the provisions of this Act, shall be applicable with respect to the taxes imposed by this Act.

Provisions of law applicable. 44 Stat. 93, 99; 48 Stat. 768.

(d) In the payment of any tax under this Act, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

Fraction of cent.

(e) Any tax paid under this Act by a taxpayer with respect to any period with respect to which he is not liable to tax under this Act shall be credited against the tax, if any, imposed by title VIII of the Social Security Act upon such taxpayer, and the balance, if any, shall be refunded. Any tax paid under title VIII of the Social Security Act by a taxpayer with respect to any period with respect to which he is not liable to tax under such title VIII shall be credited against the tax, if any, imposed by this Act upon such taxpayer, and the balance, if any, shall be refunded.

Adjustments.

49 Stat. 636.

COURT JURISDICTION

Court jurisdiction in connection with enforcement of obligations imposed.

SEC. 8. The several district courts of the United States and the District Court of the United States for the District of Columbia, respectively, shall have jurisdiction to entertain an application by the Attorney General on behalf of the Commissioner of Internal Revenue to compel an employee or other person residing within the jurisdiction of the court or an employer subject to service of process within its jurisdiction to comply with any obligations imposed on such employee, employer, or other person under the provisions of this Act. The jurisdiction herein specifically conferred upon such Federal courts shall not be held exclusive of any jurisdiction otherwise possessed by such courts to entertain actions at law or suits in equity in aid of the enforcement of rights or obligations arising under the provisions of this Act.

SOCIAL SECURITY ACT

Social Security Act.

SEC. 9. (a) The term "employment", as defined in subsection (b) of section 811 of title VIII of the Social Security Act, shall not

"Employment" as defined in. 49 Stat. 639.

include service performed by an individual as an employee as defined in section 1 (b) or service performed as an employee representative as defined in section 1 (c).

Periodical estimates of reduction in tax collections.

(b) The Secretary of the Treasury at intervals of not longer than three years shall estimate the reduction in the amount of taxes collected under title VIII of the Social Security Act by reason of the operation of subsection (a) of this section and shall include such estimate in his annual report.

SEPARABILITY

Separability provisions.

SEC. 10. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

REPEAL OF PRIOR TAX ACT

Repeal of prior tax Act.
49 Stat 974

SEC. 11. The provisions of this Act are in substitution for the provisions of the Act of August 29, 1935, as amended, entitled "An Act to levy an excise tax upon carriers and an income tax upon their employees, and for other purposes", which is hereby repealed.

Moneys due under repealed Act and not heretofore paid.

All moneys payable as and for taxes under such Act of August 29, 1935, and not heretofore paid shall cease to be payable and all proceedings pending for the recovery of any such moneys shall be terminated. All sums paid into the Treasury of the United States as and for taxes under such Act shall be refunded, except so much of the sums so paid as and for taxes with respect to compensation earned after December 31, 1936, as equals the taxes imposed by this Act with respect to the same persons and the same period, and the sums not required to be so refunded shall be retained in the Treasury of the United States and credited on taxes due and payable under this Act.

Deductions by employers from employees' pay for taxes; repayments.

All sums deducted by employers from the compensation of employees as and for taxes under such Act of August 29, 1935, which have not been paid into the Treasury of the United States shall be repaid by such employers to such employees, except so much of the sums so deducted as and for taxes in respect of compensation earned after December 31, 1936, as equals the taxes imposed and required to be deducted by this Act with respect to the same persons and the same period, and the sums not required to be so repaid shall be paid into the Treasury of the United States and thereupon shall be credited on taxes due and payable under this Act. No interest shall be allowed or paid with respect to any sum refunded, credited, or repaid under the provisions of this section.

RULES AND REGULATIONS

Rules and regulations.

SEC. 12. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make and publish such rules and regulations as may be necessary for the enforcement of this Act.

SHORT TITLE

Short title.

SEC. 13. This Act may be cited as the "Carriers Taxing Act of 1937".

Approved, June 29, 1937.

[CHAPTER 406]

AN ACT

To authorize an appropriation to carry out the provisions of the Act of May 3, 1928 (45 Stat. L. 484), and for other purposes.

June 29, 1937
[H. R. 7328]
[Public, No. 175]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an appropriation is hereby authorized in the sum of $79,038 to pay various Sioux Indians of the Pine Ridge Reservation, South Dakota, the amounts which have been awarded to them by the Secretary of the Interior under the Act of May 3, 1928 (45 Stat. L. 484), on account of allotments of land to which they were entitled but did not receive: *Provided*, That the Secretary of the Interior is authorized and directed to determine what attorney or attorneys have rendered services of value in behalf of said Indians and to pay such attorney or attorneys on such findings when appropriation is available the reasonable value of their services, not to exceed 10 per centum of the recovery on each individual claim, which payment shall be in full settlement for all services rendered by the attorney or attorneys to the claimants in such claim.

Sioux Indians of Pine Ridge Reservation, S. Dak.
Payment to.
Post, p. 763.

45 Stat. 484.

Proviso
Attorneys' fees.

Approved, June 29, 1937.

[CHAPTER 407]

JOINT RESOLUTION

To provide that the United States extend to foreign governments invitations to participate in the International Congress of Architects to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session.

June 29, 1937
[S. J. Res. 111]
[Pub. Res., No. 49]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and is hereby, authorized and requested to invite foreign governments to participate in the International Congress of Architects to be held in the United States during the calendar year 1939.

International Congress of Architects.
President requested to invite participation by foreign governments.

SEC. 2. That the sum of $20,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of organizing and holding the Fifteenth International Congress of Architects, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, communication services, stenographic and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses, local transportation, hire of motor-propelled passenger-carrying vehicles, rent in the District of Columbia and elsewhere, printing and binding, entertainment, official cards, purchase of newspapers and periodicals, necessary books and documents, stationery, membership badges, and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments have been made for any purposes herein specified, for the fiscal year 1939.

Appropriation authorized for holding Fifteenth Congress in the United States.

Services in the District.

R. S. § 3709.
41 U S C. § 5

Reimbursement of other appropriations.

Approved, June 29, 1937.

[CHAPTER 423]

July 1, 1937
[H. R. 6692]
[Public, No. 176]

AN ACT

Making appropriations for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes.

Military Appropriation Act, 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Military Establishment for the fiscal year ending June 30, 1938, and for other purposes, namely:

War Department, salaries.

SALARIES, WAR DEPARTMENT

Services in the District of Columbia.

For compensation for personal services in the District of Columbia, as follows:

Secretary, Assistant, and other personal services.

Office of Secretary of War: Secretary of War, Assistant Secretary of War, and other personal services, $270,300: *Provided*, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly authorized herein.

Proviso.
Use of field-service funds restricted.

Designated offices.

Office of Chief of Staff, $228,600.

Adjutant General's office, $1,378,230.

World War personnel records.

For personal services, to be employed exclusively in assembling, classifying, and indexing the military personnel records of the World War, and for the purchase of necessary supplies and materials used in such work, $90,000.

Office of the Inspector General, $27,220.

Office of the Judge Advocate General, $109,410.

Office of the Chief of Finance, $387,100.

Office of the Quartermaster General, $778,600.

Office of the Chief Signal Officer, $133,500.

Office of the Chief of Air Corps, $232,860.

Office of the Surgeon General, $275,290.

Office of Chief of Bureau of Insular Affairs, $66,400.

Provisos.
Draftsmen, etc., payable from other appropriations.

Office of Chief of Engineers, $131,300: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors and flood control, surveys, and preparation for and the consideration of river and harbor and flood control estimates and bills, to be paid from such appropriations:

Maximum expenditures, 1938.
Report to Congress.

Provided further, That the expenditures on this account for the fiscal year 1938 shall not exceed $413,840; the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Chief of Ordnance.
Provisos.
Technical, etc., services.

Office of Chief of Ordnance, $424,160: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the office of the Chief of Ordnance, to carry into effect the various appropriations for development, manufacture, storage, and issue of ordnance and ordnance stores, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1938 shall not exceed $54,860, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Maximum expenditures.

Office of Chief of Chemical Warfare Service, $50,337.

Office of Chief of Coast Artillery, $28,160.

National Guard Bureau, War Department, $150,700.

In all, salaries, War Department, $4,762,167: *Provided*, That the number of warrant officers and enlisted men on duty in the offices of the Chiefs of Ordnance, Engineers, Coast Artillery, Field Artillery, Cavalry, Infantry, and Chaplains on March 5, 1934, shall not be increased, and in lieu of warrant officers and enlisted men whose services in such offices shall be terminated for any cause prior to July 1, 1938, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, the appropriation "Pay of the Army" shall be available.

Proviso. Details not to be increased.

Civilians to fill vacancies. 5 U. S. C. §§ 661-674. *Post*, p. 445. Funds available.

In expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary of War the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Restriction on exceeding average salaries. 42 Stat. 1488. 5 U. S. C. §§ 661-674.

Exception.

Proviso. Restriction not applicable to clerical-mechanical service. No reduction in fixed salaries. 42 Stat. 1490. 5 U. S. C. § 666. Transfers without reduction.

Higher rates permitted.

If only one position in a grade.

OFFICE OF THE SECRETARY

CONTINGENT EXPENSES, WAR DEPARTMENT

Department contingent expenses.

For stationery; purchase of professional and scientific books, law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; purchase of an automobile for the official use of the Secretary of War at not to exceed $2,500, including the value of a vehicle exchanged; maintenance, repair, and operation of motor trucks and one motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges; street-car fares; postage to Postal Union countries; and other absolutely necessary expenses, $253,000, and it shall not be lawful to expend, unless otherwise specifically provided herein, for any bureau, office, or branch of the War Department or of the Army having or maintaining an office in the War Department proper, at Washington, District of Columbia, any sum out of appropriations contained in this Act (or accruing thereto) made for the Military Establishment for any of the purposes mentioned or authorized in this paragraph.

Surgeon General's office.

LIBRARY, SURGEON GENERAL'S OFFICE

Library expenses.

For the purchase of the necessary books of reference, periodicals, and technical supplies and equipment, $25,000.

Army Medical Museum.

ARMY MEDICAL MUSEUM

Preservation of specimens, etc.

For the procurement, preparation, and preservation of specimens and the purchase of technical supplies and equipment, $10,000.

PRINTING AND BINDING, WAR DEPARTMENT

Printing and binding.

For printing and binding for the War Department, its bureaus and offices, and for all printing and binding for the field activities under the War Department, except such as may be authorized in accordance with existing law to be done elsewhere than at the Government Printing Office, $500,000: *Provided*, That the sum of $3,000. or so much thereof as may be necessary, may be used for the publication, from time to time, of bulletins prepared under the direction of the Surgeon General of the Army, for the instruction of medical officers, when approved by the Secretary of War, and not exceeding $68,200 shall be available for printing and binding under the direction of the Chief of Engineers.

Proviso. Medical bulletins.

Amount for Chief of Engineers.

Military activities.

MILITARY ACTIVITIES

CONTINGENCIES OF THE ARMY

Army contingencies.

For all emergencies and extraordinary expenses, including the employment of translators, and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, and for examination of estimates of appropriations and of military activities in the field, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government, $17,500.

General Staff Corps.

GENERAL STAFF CORPS

Military Intelligence Division.

CONTINGENCIES, MILITARY INTELLIGENCE DIVISION

Contingent expenses.

For contingent expenses of the Military Intelligence Division, General Staff Corps, and maintenance of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including not to exceed $5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, $89,450, to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes (U. S. C., title 31, sec. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations under which the military attachés are required to operate.

Observing operations of foreign armies.

Proviso. Conditions waived. R. S. § 3648. 31 U. S. C. § 529.

FIELD EXERCISES

Field exercises; participation by National Guard, etc.

For all expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, comprising allowances for enlisted men for quarters and rations, movement of matériel, maintenance, and operation of structures and utilities, and any other requisite supplies and services, and for settlement of claims (not exceeding $500 each) for damages to or loss of private property resulting from such exercises that have accrued or may hereafter accrue, when payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and each claim is substantiated by a report of a board of officers appointed by the commanding officer of the troops engaged, and is approved by the Secretary of War, whose action thereon shall be conclusive, $313,620.

Supplies and services.
Private property damage claims.

ARMY WAR COLLEGE

Army War College.

For expenses of the Army War College, being for the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers, newspapers, and periodicals; maps; police utensils; employment of temporary, technical, or special services, and expenses of special lectures; for the pay of employees; and for all other absolutely necessary expenses, $67,157.

Instruction expenses.

ADJUTANT GENERAL'S DEPARTMENT

Adjutant General's Department.

COMMAND AND GENERAL STAFF SCHOOL, FORT LEAVENWORTH, KANSAS

Command and General Staff School, Fort Leavenworth, Kans.

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary technical, special, and clerical services; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kansas, $36,680.

WELFARE OF ENLISTED MEN

Welfare of enlisted men.

Equipment and conduct of clubs, libraries, etc.

For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, $34,940.

FINANCE DEPARTMENT

Finance Department.

PAY, AND SO FORTH, OF THE ARMY

Pay, etc., of the Army.
Officers.

For pay of not to exceed an average of twelve thousand three hundred and fifty commissioned officers, $34,532,895: *Provided*, That on and after July 1, 1937, there shall be authorized one thousand and eighty-three officers of the Medical Corps and two hundred and eight officers of the Dental Corps, notwithstanding the provisions of the Act of June 30, 1922 (42 Stat. 721), and the authorized commissioned strength of the Army is hereby increased by seventy-five in order to provide for the increase herein authorized in the number of officers in the Medical Corps and the Dental Corps; pay of officers, National Guard, $100; pay of warrant officers, $1,371,836;

Provisos.
Commissioned strength increased.

42 Stat. 721.

National Guard.

Aviation increase.
Flights by nonflying officers.
Longevity.
Enlisted men.
National Guard.
Aviation increase.
Philippine Scouts.
Longevity.
Retired officers, etc.
Civil-service messengers at headquarters.
Contract surgeons, nurses, etc.
Rent, subsistence, etc.
Loss by exchange.
Accounted for as one fund.
Provisos.
No allowance to officers owning mounts.
35 Stat. 108.
10 U. S. C. § 803.
Citizenship requirements.
Post, p. 696.
No pay beyond enlistment period, etc.
Language instruction.
Receipts of public moneys, use of.
Pay forbidden to a retired officer selling supplies to Army.

aviation increase to commissioned and warrant officers of the Army, including not to exceed five medical officers, $2,270,900, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of $1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; additional pay to officers for length of service, $9,610,595; pay of an average of one hundred and sixty-five thousand enlisted men of the line and staff, not including the Philippine Scouts, $67,042,594; pay of enlisted men of National Guard, $100; aviation increase to enlisted men of the Army, $574,798; pay of enlisted men of the Philippine Scouts, $1,050,447; additional pay for length of service to enlisted men, $5,170,468; pay of the officers on the retired list, $12,999,525; increased pay to not to exceed twelve retired officers on active duty, $14,831; pay of retired enlisted men, $13,521,730; pay not to exceed sixty civil-service messengers at not to exceed $1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, $72,000; pay and allowances of contract surgeons, $46,320; pay of nurses, $933,340; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, $6,386,560; subsistence allowances, $6,181,985; interest on soldiers' deposits, $45,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, $100; in all, $161,826,124; and the money herein appropriated for "Pay of the Army" shall be accounted for as one fund: *Provided*, That during the fiscal year ending June 30, 1938, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (U. S. C., title 10, sec. 803): *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for the pay of any person, civil or military, not a citizen of the United States, unless in the employ of the Government or in a pay status under appropriations carried in this Act on July 1, 1937, nor for the pay of any such person beyond the period of enlistment or termination of employment, but nothing herein shall be construed as applying to instructors of foreign languages at the Military Academy, or to Filipinos in the Army Transport Service, or to persons employed outside of the continental limits of the United States except enlisted men of the Regular Army, other than Philippine Scouts, upon expiration of enlistment: *Provided further*, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations and retirement deductions, may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts.

No payment shall be made from money appropriated in this Act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Army or the War Department, any war materials or supplies.

Engaging in issuing certain service publications.

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

Proviso. Exemption.

TRAVEL OF THE ARMY

Travel allowances, etc.

For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military and nonmilitary activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers and contract surgeons; transportation of troops; transportation, or reimbursement therefor, of nurses, enlisted men, recruits, recruiting parties, applicants for enlistment between recruiting stations and recruiting depots, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, dependents of military personnel, and attendants accompanying remains of military personnel and civilian employees; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; hot coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to nurses, civilian employees, civilian witnesses before courts martial, and attendants accompanying remains of military personnel and civilian employees, $2,463,350, which may be increased, subject to the approval of the Director of the Bureau of the Budget, by transfers from other appropriations contained in this Act of such amounts as may be required in addition to those herein provided for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for the National Guard, the Organized Reserves, the Reserve Officers' Training Corps, citizens' military training camps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriation "Air Corps, Army": *Provided*, That the expert accountant, Inspector General's Department, shall be entitled to the same travel allowances as other employees of the War Department: *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed $2,500 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of War, such attend-

Recruiting expenses.

Commutation of quarters, rations, etc.

Civilians.

Increases, by transfers, allowed.

Restriction.

Provisos. Travel allowance, expert accountant.

Attendance at meetings, etc. 39 Stat. 199. 32 U. S. C. § 22.

"Travel of the Army" to include dependents.

ance would be of benefit in the conduct of the work of the War Department: *Provided further*, That the appropriation "Travel of the Army" current at the date of relief from duty station of personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriation in connection with the travel enjoined, including travel expenses of dependents, regardless of the dates of arrival at destination of the persons so traveling.

EXPENSES OF COURTS MARTIAL

Courts martial, expenses.

For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, $40,000.

Deserters, etc.

APPREHENSION OF DESERTERS, AND SO FORTH

Apprehension of.

For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than $25 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of $10 to prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge, $20,000.

Finance Service.

FINANCE SERVICE

Clerks, etc.

For compensation of clerks and other employees of the Finance Department, including not to exceed $900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (U. S. C., title 5, sec. 118a), $1,155,890.

46 Stat. 818.
5 U. S. C. § 118a.

Private property damages.

CLAIMS FOR DAMAGES TO AND LOSS OF PRIVATE PROPERTY

Payment of claims.

For payment of claims, including claims of military and civilian personnel in and under the War Department, not exceeding $500 each in amount for damages to or loss of private property incident to the training, practice, operation, or maintenance of the Army that have accrued, or may hereafter accrue, from time to time, $10,000: *Provided*, That settlement of such claims shall be made by the General Accounting Office, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages.

Proviso.
Settlement by General Accounting Office.

Destruction of private property of officers, etc.

CLAIMS OF OFFICERS, ENLISTED MEN, AND NURSES OF THE ARMY FOR DESTRUCTION OF PRIVATE PROPERTY

Payment of claims.

For the payment of claims of officers, enlisted men, and nurses of the Army for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of an Act approved March 4, 1921 (U. S. C., title 31, secs. 218–222), $25,000.

41 Stat. 1436.
31 U. S. C. §§ 218–222.

Quartermaster Corps.

QUARTERMASTER CORPS

Subsistence of the Army.
Purchase of supplies for issue as rations.

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital

matrons, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners but for whose subsistence appropriation is not otherwise made), Indians employed by the Army as guides and scouts, and general prisoners at posts; ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty. For payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed $900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, $29,329,150: *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable.

Army Transport Service.

Sales to officers, etc.

Commutation allowance.

Prizes, etc.

Subsistence supplies.

Proviso.
Butter substitutes, restriction.

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; field ranges, field stoves for cooking food, coffee roasters, field bakery equipment, and appliances for cooking and serving food at posts (except fixed installations in buildings), in the field and when traveling, and repair and maintenance of such equipment; authorized issues of candles and matches; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, periodicals, market reports, technical books, and so forth; for equipment and furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor

Regular supplies of the Army.
Field cooking appliances, etc.

Furniture, school supplies, etc.

Periodicals, technical books, etc.

Forage, etc.

Seeds and implements.

Bedding, stationery, etc.

for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, $3,326,650, including not to exceed $5,000 for the procurement without regard to section 3709, Revised Statutes (U. S. C., title 41, sec. 5), of portable stoves or ranges for experimental purposes and tests.

R. S. § 3709.
41 U. S. C. § 5.

Clothing and equipage.

Purchase, manufacture, etc.

Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty, for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat repairing shops, shoe repair shops, clothing repair shops, and garbage reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessaries; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed $30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, $11,901,320, of which amount not exceeding $60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1938, and not exceeding $50,000 shall be available exclusively for increasing the compensation of employees in laundries and dry-cleaning establishments whose compensation on June 30, 1937, is at a rate of $600 per annum or less or $1 per diem or less: *Provided*, That laundry charges, other than for service now rendered without charge, shall be so adjusted that earnings in conjunction with the value placed upon service rendered without charge shall aggregate an amount not less than $50,000 below the cost of maintaining and operating laundries and drycleaning plants.

Laundries, etc.

Repair shops.

Toilet kits.

Citizen's outer clothing.

Indemnity for destroyed clothing, etc.

Fuel.

Proviso.
Laundry charges.

Incidental expenses.

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, including not to exceed $900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act of June 26, 1930 (U. S. C., title 5, sec. 118a), and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; for the operation of coffee-roasting plants; for the payment of entrance fees for Army rifle and pistol teams participating in competitions; for tests and experimental and development work and scientific research to be performed by the Bureau

Living quarters.

46 Stat. 818.
5 U. S. C. § 118a.

Recruiting.

Rifle competition, fees.

Tests, etc.

of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments, $3,577,950.

Inspection service, etc.

Operation expenses.

Army transportation: For transportation of Army supplies; of authorized baggage, including packing and crating; of horse equipment; and of funds for the Army; for transportation on Army vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Army personnel upon change of station; for the purchase or construction, not to exceed $282,700, alteration, operation, and repair of boats and other vessels: *Provided*, That the amount authorized for the purchase or construction of vessels in the appropriation for "Army transportation", contained in the War Department Appropriation Act, fiscal year 1937, is hereby increased from $786,000 to $829,520; for wharfage, tolls, and ferriage; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for hire of draft and pack animals; for travel allowances to officers of National Guard on discharge from Federal service as prescribed in the Act of March 2, 1901 (U. S. C., title 10, sec. 751), and to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory Act of September 22, 1922 (U. S. C., title 10, sec. 752), and to members of the National Guard who have been mustered into Federal service and discharged on account of physical disability; in all, $12,580,000, of which amount not exceeding $250,000 for the procurement and transportation of fuel for the service of the fiscal year 1938, and not exceeding $1,000,000 for the procurement of motor vehicles, shall be available immediately: *Provided*, That not to exceed $225,000 may be expended for the purchase of light and medium passenger-carrying automobiles at a unit cost of not to exceed $750 for light automobiles and $1,200 for medium automobiles, including the value of any vehicle exchanged, and not to exceed $151,000 may be expended for the purchase or exchange of motor-propelled ambulances and motorcycles: *Provided further*, That no appropriation contained in this Act shall be available for any expense of any character, other than as may be incident to salvaging or scrapping, on account of any motor-propelled vehicle procured prior to January 1, 1920, except tanks, tractors, ambulances, fire trucks, searchlight trucks, three hundred and ninety modernized Class B trucks, and vehicles in use by Reserve Officers' Training Corps units on February 19, 1935: *Provided further*, That during the fiscal year 1938 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

Army transportation.
Supplies.

Privately owned automobiles.

Boats, etc.

Provisos.
Amount for purchase or construction increased.
49 Stat. 1287.

Vehicles.

Travel allowances, National Guard.

31 Stat. 902.
10 U. S. C. § 751.

42 Stat. 1021.
10 U. S. C. § 752.

Fuel.

Motor vehicles, etc.

Ambulances and motorcycles.

Not available for designated vehicles, except for salvaging.

Exceptions.

Transportation costs, supplies, equipment, etc.

HORSES, DRAFT AND PACK ANIMALS

Horses, draft and pack animals.

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the

Purchase.

United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including $72,150 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), $531,000.

Encouraging breeding of riding horses.

Military posts.

MILITARY POSTS

Construction, maintenance, etc.

For construction and installation of buildings, flying fields, and appurtenances thereto, including interior facilities, fixed equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, purchase and installation of telephone and radio equipment, and similar improvements, and procurement of transportation incident thereto, without reference to sections 1136 and 3734, Revised Statutes (U. S. C., title 10, sec. 1339; title 40, sec. 267); general overhead expenses of transportation, engineering, supplies, inspection and supervision, and such services as may be necessary in the office of the Quartermaster General; and the engagement by contract or otherwise without regard to section 3709, Revised Statutes (U. S. C., title 41, sec. 5), and at such rates of compensation as the Secretary of War may determine, of the services of architects or firms or corporations thereof and other technical and professional personnel as may be necessary; to remain available until expended and to be applied as follows: For work authorized by the Act approved May 6, 1937, at Fort Niagara, New York, $54,000; for work authorized by the Act approved May 14, 1937, at Camp Stanley, Texas, $578,050; for work authorized by the Act of August 12, 1935 (49 Stat. 610–611): At Bolling Field, District of Columbia, $740,000; at Northwestern air base, Washington, $625,000; at Albrook Field, Panama Canal Zone, $717,000; at Hickam Field, Hawaii, $3,250,000; at Air Corps depot, Sacramento, California, $3,000,000; at Langley Field, Virginia, $338,000; and at Barksdale Field, Louisiana, $80,000; in all, $9,388,050.

R. S. §§ 1136, 3734. 10 U. S. C. § 1339; 40 U. S. C. § 267.

R. S. § 3709. 41 U. S. C. § 5.

Technical, etc., services.

Public works. Fort Niagara, N. Y. *Ante*, p. 128. Camp Stanley, Tex. *Ante*, p. 166. Bolling Field, D. C., etc. 49 Stat. 610.

Acquisition of land.

ACQUISITION OF LAND

Mitchel Field, N. Y. 49 Stat. 610.

For the acquisition of land, as authorized by the Act of August 12, 1935 (49 Stat. 610): Vicinity of Mitchel Field, New York, three hundred and forty-two acres, more or less, to be used exclusively for runways, $500,000: *Provided*, That in addition to the amount herein appropriated the Secretary of War may acquire by condemnation or may enter into contracts for the acquisition of the above land in the vicinity of Mitchel Field to an additional amount not in excess of $1,020,000, and his action in so doing in either case shall be deemed a contractual obligation of the Federal Government for the payment thereof; vicinity of Kelly Field, Texas, $2,000; vicinity of Tacoma, Washington, to be available immediately, $60,000; and for the acquisition of all privately owned land and rights within the boundaries of the area in San Bernardino and Kern Counties, California, reserved and set aside for the use of the War Department as a bombing and gunnery range by Executive Order Numbered 6588, dated February 6, 1934, and, in addition, all privately owned land and rights within an area of approximately fifty-nine thousand one hundred and sixty-three acres of land adjacent to the tract described in such Executive order, located in San Bernardino, Kern, and Los Angeles Counties, California, $390,000; in all $952,000.

Proviso. Additional land.

Kelly Field, Tex., etc. Bombing and gunnery range.

For the acquisition of land in the vicinity of West Point, New York, as authorized by the Act approved March 3, 1931 (46 Stat. 1491), $431,000, and such sum, in conjunction with the appropriation

West Point, N. Y. Additional land. 46 Stat. 1491; 49 Stat. 1289.

of $431,000 for a like purpose contained in the War Department Appropriation Act for the fiscal year 1937, without regard to the proviso attached to such former appropriation, shall be available until June 30, 1939: *Provided*, That in addition to the amount herein appropriated the Secretary of War may acquire by condemnation or may enter into contracts for the acquisition of land in the vicinity of West Point, as authorized by such Act of March 3, 1931, to an additional amount not in excess of $638,000, and his action in so doing in either case shall be deemed a contractual obligation of the Federal Government for the payment thereof: *Provided further*, That authorization is hereby repealed to acquire any land east of the west boundary of the Highway 9–W, or east of the west boundary of the Highway 9–W as it may be relocated by the State of New York prior to the acquisition of any land west of the present west boundary of such Highway 9–W.

Availability.

Provisos.
Additional sum for acquisition of land.

Authorization modified.

BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

Barracks, quarters, etc.

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of grounds, flooring and framing for tents, rental of buildings, including not to exceed $900 in the District of Columbia, provided space is not available in Government-owned buildings, and grounds for military purposes, lodgings for recruits and applicants for enlistment, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, disposal of sewage, shooting galleries, ranges for small-arms target practice, field, mobile, and railway artillery practice, including flour for paste for marking targets, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War; warehouse and fuel handling equipment; stoves required for use of the Army for heating offices, hospitals, barracks, quarters, recruiting stations, and United States disciplinary barracks, also ranges and stoves for cooking food at posts, for post bakery and bake-oven equipment and apparatus and appliances for cooking and serving food when constituting fixed installations in buildings, including maintenance and repair of such heating and cooking appliances; for furnishing heat and light for the authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the Act approved May 31, 1902 (U. S. C., title 10, sec. 1346), and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale of fuel to officers; fuel and engine supplies required in the operation of modern batteries at established posts, $13,468,500, of which not to exceed $2,500,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal

Construction, maintenance, etc.

Rentals.

Water, roads, etc.

Target practice, etc.

Warehouse and fuel handling equipment.

Stoves and cooking appliances.

Heat, light, etc.

Recreation buildings.
32 Stat. 282.
10 U. S. C. § 1346.

Fuel.

Provisos
Fort Monroe, Va., wharf, etc.
28 Stat. 212.

year 1938: *Provided*, That the amounts to be assessed and collected by the Secretary of War for expenditure for maintenance purposes at Fort Monroe, Virginia, under the provisions of the Act of August 1, 1894 (28 Stat. 212), shall be $13,520 for wharf and $5,053 for roads and sewerage system: *Provided further*, That there is hereby transferred to the appropriation "Barracks and quarters, 1937", the sum of $112,000 from the appropriation "Air Corps, Army, 1937", to be applied to the installation of a water-supply system for Moffett Field, Sunnyvale, California, which amount shall remain available until June 30, 1938: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds $20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed $15.

Moffett Field, Sunnyvale, Calif.
Funds transferred.
49 Stat. 1288, 1290.

Rentals for military attachés.

Construction restricted.

Stabling rental.

Hospitals.

CONSTRUCTION AND REPAIR OF HOSPITALS

Construction, repair, etc.

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Arkansas, and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repair of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, $494,709.

Temporary hospitals, etc.

Signal Corps.

SIGNAL CORPS

Signal Service.

SIGNAL SERVICE OF THE ARMY

Telegraph and telephone systems.
Purchase, operation, etc.

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph

Exceptions.

lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control, and direction apparatus, and material for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment, required, $5,894,520, and, in addition to such amount, the Chief Signal Officer, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1938, for the procurement of radio equipment for airplanes to an amount not in excess of $1,102,500, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

Electrical installations, etc.

Civilian employees.

Experimental investigation, etc.

AIR CORPS

Air Corps.

AIR CORPS, ARMY

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants, for the procurement of helium gas; for travel of officers of the Air Corps by air in connection with the administration of this appropriation, including the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary; transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of airplanes, autogyros, and balloons, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof, and the purchase of letters patent, applications for letters patent, and licenses under letters

Designated purposes.

Aircraft operation, etc.

Landing, etc., runways.

Helium gas.

Civilian employees.

Purchase, construction, etc., of aircraft.

patent and applications for letters patent; for the purchase, manufacture, and construction of airplanes and balloons, including instruments and appliances of every sort and description necessary for the operation, construction (airplanes and balloons), or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed $50 a day for not exceeding fifty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft; for settlement of claims (not exceeding $250 each) for damage to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War, $58,618,406, of which $10,669,786 shall be available under the appropriation "Air Corps, Army, 1937", for payments under contracts for the procurement of new airplanes and of equipment, spare parts, and accessories for airplanes, as authorized by said appropriation: *Provided*, That $10,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1937, for supplying helium: *Provided further*, That in addition to the amounts herein appropriated the Chief of the Air Corps, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1938, for the procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes to an amount not in excess of $19,126,894, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That of the amount herein appropriated and the amount herein authorized for contractual obligation not less than $33,756,561 (exclusive of $10,669,786 for payment of the obligations incurred under the above-mentioned contract authorization for the fiscal year 1937) shall be applied to the procurement of new airplanes and their equipment and accessories, of which amount of $33,756,561 not less than $26,262,760 shall be applied to the procurement of combat airplanes and their equipment and accessories: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for any expense incident to the use of Crissy Field, California, as an air station: *Provided further*, That the sum of $56,060 of the appropriation for Air Corps, Army, fiscal year 1934, and the sum of $236,310 of the appropriation for Air Corps, Army, fiscal year 1935, shall remain available until June 30, 1938, for the payment of obligations incurred under contracts executed prior to July 1, 1935.

Marking military airways.

Consulting engineers.

Printing plants, etc.

Settlement of claims.

New airplanes, equipment, etc.
49 Stat. 1290.

Provisos.
Helium.
Post, p. 602.
New airplanes.

Contracts authorized.

Crissy Field, Calif.
Use of, as air station.

Sums available for incurred obligations.
47 Stat. 1583; 48 Stat. 626.

MEDICAL DEPARTMENT

Medical Department.

ARMY

MEDICAL AND HOSPITAL DEPARTMENT

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment of patients, including supernumeraries, not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the Act of Congress approved May 11, 1908 (U. S. C., title 24, sec. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of Army and Navy Hospital at Hot Springs, Arkansas; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, $1,552,330.

Supplies.

Private treatment.

Proviso.
Not applicable, if on furlough.

Contagious, etc., diseases, treatment.

Insane Filipino soldiers.
35 Stat. 122.
24 U. S. C. § 198.

Nurses.

Hot Springs, Ark., hospital.

HOSPITAL CARE, CANAL ZONE GARRISONS

Canal Zone garrisons.

Hospital care of troops.

For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority, $50,000: *Provided*, That the subsistence of the said patients, except commissioned officers, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals.

Proviso.
Subsistence payments.

CORPS OF ENGINEERS

Engineer Corps.

ENGINEER SERVICE, ARMY

For the design, development, procurement, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools, and machinery

Equipment, instruments, etc.

Engineer School, maintenance, etc.

Maps, surveys, etc.

Rent.

Operating, etc., expenses.

required in the equipment and training of troops and in military operations, including military surveys and the Engineer School; for the operation and maintenance of the Engineer School, including (a) compensation of civilian lecturers, and (b) purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; for the procurement, preparation, and reproduction of maps and similar data for military purposes; for expenses incident to the Engineer service in military operations, including military surveys, and including (a) research and development of improved methods in such operations, (b) the rental of storehouses and grounds within and outside the District of Columbia, and (c) repair and alteration of buildings; for heat, light, power, water, and communication service, not otherwise provided for; and for the compensation of employees required in these activities, $599,400.

Ordnance Department.

ORDNANCE DEPARTMENT

Ordnance service and supplies.

ORDNANCE SERVICE AND SUPPLIES, ARMY

Manufacture, issue, etc.

Current expenses.

Vehicles.

Ammunition for military salutes.

Gages, dies, and jigs.

39 Stat. 215.
50 U. S. C. § 78.
Publications.

Consulting engineers.

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of trucks, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for the development and procurement of gages, dies, jigs, and other special aids and appliances, including specifications and detailed drawings, to carry out the purpose of section 123 of the National Defense Act, as amended (U. S. C., title 50, sec. 78); for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for services of not more than four consulting engineers as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed $50 per day for not exceeding fifty days each, and for their necessary traveling expenses, $22,137,000, and of the total sum hereby made available $144,000 shall be available exclusively for equipping seventy-five-millimeter guns with high-speed adapters.

Rock Island, Ill.

ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

Operating bridges, etc.

For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, $32,835.

Arsenals.

Repairs, etc.

REPAIRS OF ARSENALS

For repairs and improvements of ordnance establishments, and to meet such unforeseen expenditures as accidents or other contingencies may require, $1,087,280.

CHEMICAL WARFARE SERVICE

Chemical Warfare Service.

For purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks, or other offensive or defensive materials or appliances required for gas-warfare purposes; investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; for the payment of part-time or intermittent employment of such scientists and technicists as may be contracted for by the Secretary of War, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed; for the purchase, maintenance, repair, and operation of freight- and passenger-carrying motor vehicles; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and adding machines including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges, $1,525,180.

Purchase, manufacture, etc., of gases.

Part-time employment of scientists, etc.

Vehicles.

Plants, buildings, machinery, etc.

Civilian employees.

Special gas troops; organization, training, etc.

Current expenses.

CHIEF OF INFANTRY

Chief of Infantry.

INFANTRY SCHOOL, FORT BENNING, GEORGIA

Infantry School, Fort Benning, Ga.

For the procurement of books, publications, instruments, and materials, and other necessary expenses for instruction at the Infantry School, and for pay of employees at the Infantry School and in the office of the Chief of Infantry, $71,330.

Instruction expenses.

CHIEF OF CAVALRY

Chief of Cavalry.

CAVALRY SCHOOL, FORT RILEY, KANSAS

Cavalry School, Fort Riley, Kans.

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and materials for instruction; employment of temporary, technical, special, and clerical services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kansas, $24,000.

Instruction expenses.

CHIEF OF FIELD ARTILLERY

Chief of Field Artillery.

INSTRUCTION IN FIELD ARTILLERY ACTIVITIES

Field Artillery activities.

For the pay of employees; the purchase of books, pamphlets, periodicals, and newspapers; procurement of supplies, materials, and equipment for instruction purposes; and other expenses necessary in the operation of the Field Artillery School of the Army, and for the instruction of the Army in Field Artillery activities, $48,250.

Instruction expenses.

Chief of Coast Artillery.

CHIEF OF COAST ARTILLERY

COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA

Coast Artillery School, Fort Monroe, Va
Instruction expenses.

For purchase of engines, generators, motors, machines, measuring and nautical instruments, special apparatus, and materials for experimental purposes for the engineering and artillery and military art departments and enlisted specialists division; for purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defense; for newspapers and periodicals; for incidental expenses of the school, including chemicals, stationery, printing and binding; hardware; materials; cost of special instruction of officers detailed as instructors; employment of temporary, technical, or special services; for office furniture and fixtures; for machinery; for maintenance; operation, and repair of motor trucks; and unforeseen expenses; in all, $28,260.

Printing and binding.

Seacoast defenses.

SEACOAST DEFENSES

All expenses.

For all expenses incident to the preparation of plans and the construction, purchase, installation, equipment, maintenance, repair, and operation of fortifications and other works of defense, and their accessories, including personal services, ammunition storage, maintenance of channels to submarine-mine wharves, purchase of lands and rights-of-way as authorized by law, and experimental, test, and development work, as follows:

United States, $2,443,410, of which not less than $200,000 shall be applied to the procurement of mobile antiaircraft guns and mounts;

Insular departments, $1,092,710, of which not less than $300,000 shall be applied to the procurement of mobile antiaircraft guns and mounts;

Panama Canal, $1,467,200, of which not less than $300,000 shall be applied to the procurement of mobile antiaircraft guns and mounts;

In all, $5,003,320.

Military Academy.

UNITED STATES MILITARY ACADEMY

Pay.

PAY OF MILITARY ACADEMY

Cadets.
Provisos.
Army detail, pay restriction.

Cadets: For pay of cadets, $1,375,920: *Provided*, That during the fiscal year ending June 30, 1938, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in any capacity at the Military Academy: *Provided further*, That the duties of librarian of the United States Military Academy may be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

Retired Army officer as librarian.
R. S. § 1251.
10 U. S. C. § 933.

Civilians.

Civilians: For pay of employees, $303,350.

Maintenance, etc.

MAINTENANCE AND OPERATION, UNITED STATES MILITARY ACADEMY

Designated expenses.

For text and reference books for instruction; increase and expense of library (not exceeding $6,000); office equipment and supplies; stationery, blank books, forms, printing and binding, and periodicals; diplomas for graduates; expense of lectures; apparatus, equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the regular established ration; maintenance of children's school (not exceeding

$12,200); contingencies for superintendent of the academy, to be expended in his discretion (not to exceed $4,000); expenses of the members of the Board of Visitors (not exceeding $1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding $500); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; maintenance, repair, and operation of motor-propelled vehicles; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the academy and repair and maintenance thereof; fuel for heat, light, and power; and other necessary incidental expenses in the discretion of the superintendent; in all, $1,442,000: *Provided*, That not to exceed $3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the cadet store.

Board of Visitors.

Proviso.
Liquidating certain debts to cadet store.

NATIONAL GUARD

National Guard.

ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD

Arming, etc.

For procurement of forage, bedding, and so forth, for animals used by the National Guard, $514,439.

Forage, etc.

For compensation of help for care of materials, animals, and equipment, $2,755,244.

Care of animals, materials, etc.

For expenses, camps of instruction, field and supplemental training, and the hire (at a rate not to exceed $1 per diem), repair, maintenance, and operation of motor-propelled passenger-carrying vehicles, $8,952,290: *Provided*, That not to exceed $25,000 of this appropriation shall be available for the settlement of claims (not exceeding $500) for damages to or loss of private property incident to the operation of camps of instruction, either during the stay of National Guard units in such camps or while thereto or therefrom en route.

Instruction expenses.

Proviso.
Settlement of claims.

For expenses, selected officers and enlisted men, military service schools, $440,209.

Service schools, instruction, etc.

For pay of property and disbursing officers for the United States, at a rate not less than $2,400 per annum, $128,400.

Property and disbursing officers.

For general expenses, equipment, and instruction, National Guard, the hire (at a rate not to exceed $1 per diem), repair, maintenance, and operation of motor-propelled passenger- and non-passenger-carrying vehicles, and the medical and hospital treatment of members of the National Guard who suffer personal injury or contract disease in line of duty, and other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat., p. 1507), $849,126.

Equipment, etc.

Medical, etc., treatment.

Burial expenses.
49 Stat. 1507.
10 U. S. C., Supp. II, §§ 455a-d.

For travel of officers, warrant officers, and enlisted men of the Regular Army in connection with the National Guard, $248,500: *Provided*, That not to exceed $2,000 of this sum shall be expended for travel of officers of the War Department General Staff in connection with the National Guard.

Travel, Army officers, etc.
Proviso.
War Department General Staff.

For transportation of equipment and supplies, $217,000.

Transporting supplies.

For expenses of enlisted men of the Regular Army on duty with the National Guard, including payment of an allowance for quarters at the rate of $35 per month to each man not furnished quarters in kind, $298,688.

Army enlisted men, details.

Pay, armory drills.

For pay of National Guard (armory drills), $14,194,000.

No pay to National Guard officer, etc., drawing pension.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the National Guard who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his service in the National Guard: *Provided further*, That adjutants general who may be drawing such emoluments may be continued in a federally recognized status without pay under this Act.

Provisos.
Provisions waived if pension surrendered.

Adjutants general continued in present status without pay.

Field service.

ARMS, UNIFORMS, EQUIPMENT, AND SO FORTH, FOR FIELD SERVICE, NATIONAL GUARD

Procuring arms and equipment.
Requisitions from Governors, etc.

To procure by purchase or manufacture and issue from time to time to the National Guard, upon requisition of the Governors of the several States and Territories or the commanding general, National Guard of the District of Columbia, such military equipment and stores of all kinds and reserve supply thereof as are necessary to arm, uniform, and equip for field service the National Guard of the several States, Territories, and the District of Columbia, including animals, motor trucks, motorcycles, field ambulances, and station wagons and to repair such of the aforementioned articles of equipage and military stores as are or may become damaged when, under regulations prescribed by the Secretary of War, such repair may be determined to be an economical measure and as necessary for their proper preservation and use, $12,360,591, of which $500,000 shall be available exclusively for defraying the cost of increasing the strength of the National Guard from approximately two hundred thousand to not exceeding an average of two hundred and five thousand officers and men, and all of the sums appropriated in this Act on account of the National Guard, except the subappropriation of $8,952,290 for expenses, camps of instruction, and so forth, and the subappropriation of $14,194,000 for pay of National Guard (armory drills), shall be accounted for as one fund, and of the total of all sums appropriated in this Act on account of the National Guard, $1,500,000 shall be available immediately: *Provided*, That the subappropriation for expenses, camps of instruction, and so forth, may be increased not to exceed $625,000 by transfer from other sums appropriated in this Act under the heading "National Guard", exclusive of pay for armory drills: *Provided further*, That specifications for motor vehicles, which shall be so drawn as to admit of competition, shall to the extent otherwise practicable conform with the requirements of the National Guard: *Provided further*, That the value of issues made to any State, Territory, or the District of Columbia to replace property surveyed in accordance with section 87, National Defense Act of June 3, 1916, as amended, shall not be charged to the apportionments required by section 67 of that Act, but no such replacement issue shall be made in excess of receipts theretofore collected and covered into the Treasury as miscellaneous receipts pursuant to said section 87, as amended, and section 4 (a) and (b) (22) of the Permanent Appropriation Repeal Act of June 26, 1934: *Provided further*, That the Secretary of War is hereby authorized to issue from surplus or reserve stores and material on hand and purchased for the United

Motor trucks, field ambulances, etc.

Increasing strength of National Guard.

Accounting.

Provisos.
Camps of instruction, increase.

Specifications for motor vehicles.

Replacement of damaged property.
39 Stat. 204.
32 U. S. C. § 47.

39 Stat. 199.
32 U. S. C. § 22.

48 Stat. 1227.
31 U. S. C. § 725c.

Clothing, equipment, etc., from Army surplus stores.

States Army such articles of clothing and equipment and Field Artillery, Engineer, and Signal material and ammunition as may be needed by the National Guard organized under the provision of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916 (U. S. C., title 32, sec. 21), as amended. This issue shall be made without charge against National Guard appropriations except for actual expenses incident to such issue.

39 Stat. 199.
32 U. S. C. § 21.

Issue without charge against fund.

No appropriation contained in this Act shall be available for any expense for or on account of a larger number of mounted units and wagon companies of the National Guard than were in existence on June 30, 1932: *Provided*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves, who, under regulations prescribed by the Secretary of War, volunteer to participate without pay as competitors or range officers in the national matches to be held during the fiscal year 1938, may attend such matches without pay, notwithstanding any provision of law to the contrary, but shall be entitled to travel and subsistence allowances at the same rates as are provided for civilians who attend and participate in said matches, but this proviso shall not operate to prohibit the pay of such competitors or range officers, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1938", nor shall any provision in this Act operate to deprive a reserve officer ordered to active duty incident to the national matches of pay for the full period of such active duty, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1938": *Provided further*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves may be ordered to duty, with their consent, for the care, maintenance, and operation of the ranges used in the conduct of the national matches and such officers, warrant officers, and enlisted men while so engaged shall be entitled to the same pay, subsistence, and transportation as officers, warrant officers, and enlisted men of corresponding grades of the Regular Army are entitled by law, which expense shall be provided by the appropriation "Promotion of rifle practice"; and after being duly mustered may be paid for the period from the date of leaving home rendezvous to date of return thereto as determined in advance, both dates inclusive.

No increase of mounted units, etc.

Provisos.
Participation in national matches.

Travel and subsistence.

Post, p. 467.
Reserve officers.

Caretakers of ranges.

ORGANIZED RESERVES

Organized Reserves.

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law: *Provided*, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for fifteen days or less shall not exceed 4 cents per mile; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms, subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of divisional and regimental headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves,

Officers' Reserve Corps.

Provisos.
Mileage allowance.

Enlisted Reserve Corps.

Correspondence, etc., courses.

Training manuals.

Headquarters and training camps.

Vehicles.
Travel, etc., expenses.

including the maintenance and operation of motor-propelled passenger-carrying vehicles and purchase of thirty such vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army traveling on duty in connection with the Organized Reserves, and for travel of dependents, and packing and transportation of baggage of such personnel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department, except that not to exceed $858,165 of this appropriation shall be available for expenditure by the Chief of the Air Corps for the production and purchase of new airplanes and their equipment, spare parts, and accessories; for transportation of baggage, including packing and crating, of reserve officers ordered to active duty for not less than six months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps, who suffer personal injury or contract disease in line of duty, as provided by the Act of June 15, 1936 (49 Stat., 1507), and for such other purposes in connection therewith as are authorized by the said Act, including pay and allowances, subsistence, transportation, and burial expenses; in all, $9,837,883; and no part of such total sum shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot, by such agency as the Secretary of War may designate: *Provided*, That not to exceed $100,000 of this appropriation may be used for establishment and maintenance of divisional and regimental headquarters.

New airplanes.
Baggage transportation.
Medical and hospital treatment.
49 Stat. 1507.
10 U. S. C., Supp. II, §455b.
Flight-training restriction.
Divisional, etc., headquarters.

Restriction on use of other funds.

None of the funds appropriated elsewhere in this Act, except for printing and binding, field exercises, and for pay and allowances of officers and enlisted men of the Regular Army, and for mileage, reimbursement of actual traveling expenses, or per-diem allowances in lieu thereof, as authorized by law, to Air Corps Reserve officers on extended active duty, shall be used for expenses in connection with the Organized Reserves, but available supplies and existing facilities at military posts shall be utilized to the fullest extent possible.

Use of available supplies, etc.

No pay to officer drawing pension, etc.

No appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the Reserve Corps who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his active duty in the Reserve Corps.

Proviso.
Provision waived if pension, etc., surrendered.

Reserve officer on active duty; pay restriction.
General Staff detail excepted.
41 Stat. 760.
10 U. S. C. §§ 26, 37.
Other details.
49 Stat. 1524.
10 U. S. C., Supp. II, §§ 292b–2, 300a, 291c, 292a–1–3.
49 Stat. 1028.
10 U. S. C., Supp. II, § 369a.

No appropriation made in this Act shall be expended for the pay of a reserve officer on active duty for a longer period than fifteen days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5 (b) of the National Defense Act, as amended (U. S. C., title 10, secs. 26, 37), or who may be detailed for courses of instruction at the general or special service schools of the Army, or for duty as instructors at civilian military training camps, appropriated for in this Act, or for duty with the Air Corps, under the provisions of section 1 of the Act of June 16, 1936 (49 Stat. 1524), or who may be detailed to active duty with the Regular Army under the provisions of the

Act of August 30, 1935 (U. S. C., title 10, sec. 369a): *Provided*, That the pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that Administration under existing law.

Proviso.
Medical Reserve Corps, for Veterans' Administration patients in Army hospitals.

CITIZENS' MILITARY TRAINING

Citizens' Military Training.

RESERVE OFFICERS' TRAINING CORPS

Reserve Officers' Training Corps.

Quartermaster supplies for units of.

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the Act approved June 3, 1916, as amended by the Act approved June 4, 1920 (U. S. C., title 10, sec. 387); for the medical and hospital treatment of members of the Reserve Officers' Training Corps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat., p. 1507); for mileage, traveling expenses, or transportation, for transportation of dependents, and for packing and transportation of baggage, as authorized by law, for officers, warrant officers, and enlisted men of the Regular Army traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the purchase, maintenance, repair, and operation of motor vehicles, including station wagons, $4,119,570, and,

Training camps, etc.

Travel allowance.

Expenses of supplies, etc.

Subsistence commutation, senior division.

39 Stat. 194; 41 Stat. 778.
10 U. S. C. § 387.
Medical treatment.

49 Stat. 1507.

Baggage transportation.

Vehicles.

49 Stat. 1302.

in addition, $517,850 of the appropriation "Reserve Officers' Training Corps, 1937", which is hereby reappropriated, and of the total amount hereby made available $400,000 shall be available immediately: *Provided*, That the Secretary of War is authorized to issue, without charge, in lieu of purchase, for the use of the Reserve Officers' Training Corps, so many horses now belonging to the Regular Army as he may consider desirable: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of an additional number of mounted, motor transport, or tank units in the Reserve Officers' Training Corps in excess of the number in existence on January 1, 1928: *Provided further*, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Air Corps, Dental Corps, or Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men of the Regular Army, shall be used for expenses in connection with the Reserve Officers' Training Corps.

Provisos.
Issue of Army horses

Uniforms, etc., from Army surplus stock.

Current price to govern.

Additional units forbidden.

No additional students in designated units.

Restriction on use of other funds.

Schools and colleges.

MILITARY SUPPLIES AND EQUIPMENT FOR SCHOOLS AND COLLEGES

Military supplies and equipment.
41 Stat. 780.
10 U. S. C. § 1180.
R. S. § 1225.
34 U. S. C. § 1129.

For the procurement and issue as provided in section 55c of the Act approved June 4, 1920 (U. S. C., title 10, sec. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of same, and the overhauling and repair of articles issued, as the Secretary of War shall deem necessary for proper military training in said schools and colleges, $8,900.

Citizens' Military Training Camps.

CITIZENS' MILITARY TRAINING CAMPS

Uniforms, transportation expenses, etc.

41 Stat. 779.
10 U. S. C. § 442.

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47d of the National Defense Act of June 3, 1916, as amended (U. S. C., title 10, sec. 442), uniforms, including altering, fitting, washing, and cleaning when necessary, subsistence, or subsistence allowances and transportation, or transportation allowances, as prescribed in said section 47d, as amended; for such expenditures as are authorized by said section 47d as may be necessary for the establishment and maintenance of said camps, including recruiting and advertising therefor, and the cost of maintenance, repair, and operation of passenger-carrying vehicles; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War

Maintenance.

Department; for gymnasium and athletic supplies (not exceeding $20,000); for mileage, reimbursement of traveling expenses, or allowance in lieu thereof as authorized by law, for officers of the Regular Army and Organized Reserves, and for the travel expenses of enlisted men of the Regular Army, traveling on duty in connection with citizens' military training camps; for purchase of training manuals, including Government publications and blank forms; for medical and hospital treatment of members of the citizens' military training camps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat., p. 1507); in all, $2,275,000: *Provided*, That the funds herein appropriated shall not be used for the training of any person in the first year or lowest course, who shall have reached his twenty-fourth birthday before the date of enrollment: *Provided further*, That none of the funds appropriated elsewhere in this Act except for printing and binding and for pay and allowances of officers and enlisted men of the Regular Army shall be used for expenses in connection with citizens' military training camps: *Provided further*, That uniforms and other equipment or matériel furnished in accordance with law for use at citizens' military training camps shall be furnished from surplus or reserve stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or matériel furnished in accordance with law for use at citizens' military training camps from stocks under the control of the War Department be in excess of the price current at the time the issue is made.

Medical and hospital treatment.

Burials.

49 Stat. 1507.

Provisos.
Age limitation.

Restriction on use of other funds.

Uniforms, etc., from Army surplus stocks.

Current price to govern.

Under the authorizations contained in this Act no issues of reserve supplies or equipment shall be made where such issues would impair the reserves held by the War Department for two field armies or one million men.

Restriction on use of reserve supplies.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Promotion of rifle practice.

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of practice in the use of rifled arms; for arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for clerical services, including not exceeding $25,000 in the District of Columbia; for procurement of materials, supplies, trophies, prizes, badges, and services, as authorized in section 113, Act of June 3, 1916, and in War Department Appropriation Act of June 7, 1924; for the conduct of the National Matches, including incidental travel, and for maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed $7,500 for its incidental expenses as authorized by Act of May 28, 1928; to be expended under the direction of the Secretary of War, $645,726.

Instruction expenses.

Supplies, etc.

39 Stat. 211; 43 Stat. 510.
32 U. S. C. § 181.

45 Stat. 786.
32 U. S. C. § 181c.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee

No pay to officer, etc., using time-measuring device.

Cash rewards restricted.

while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Private use of Government vehicles.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle assigned for the exclusive use of persons other than the Secretary of War and medical officers on out-patient medical service.

Post exchange restriction.

SEC. 3. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or subexchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience to military personnel and civilians employed or serving at military posts and to retired enlisted naval personnel in supplying them with articles of small personal needs, not similiar to those furnished by the Government: *Provided*, That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section: *Provided further*, That at posts isolated from a convenient market the Secretary of War may broaden the nature of the articles to be sold.

Provisos.
Report required.

Isolated posts.

Short title.

SEC. 4. This Act may be cited as the "Military Appropriation Act, 1938".

Approved, July 1, 1937.

[CHAPTER 424]

AN ACT

July 1, 1937
[H. R. 7726]
[Public, No. 177]

Making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations.

Extension of Appropriations Act, 1938.
Appropriations for last fiscal year for certain unprovided for operations extended.
Post, p. 514.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for defraying during the first half of the month of July 1937 all expenses of the necessary operations of the Federal Government, which, on July 1, 1937, remain unprovided with appropriations through the failure of enactment on or before such date of the supply bills customarily providing for such operations, there are hereby extended for and during such period all appropriations available for obligation for such expenses during the fiscal year ending June 30, 1937, in the same detail and under the same conditions, restrictions, and limitations as such appropriations were provided for on account of such fiscal year.

Appropriation of necessary sums for first half of July 1937.

SEC. 2. To make effective the appropriations extended by section 1, there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of certain revenues, receipts, and funds, respectively, as such appropriations available for the fiscal year ending June 30, 1937, were appropriated, such sums as may be necessary for such first half of the month of July 1937.

Proportionate amounts only to be expended.

SEC. 3. No greater amount shall be expended out of any appropriation provided by this Act than an amount equal to one twenty-fourth of the appropriation available for like purposes for the fiscal year ending June 30, 1937.

SEC. 4. The total expenditures for the entire fiscal year ending June 30, 1938, out of the appropriations made by this Act and the appropriations in the several pending supply bills shall not exceed in the aggregate the amounts finally appropriated, respectively, in such pending supply bills when they shall have been enacted into law.

Total expenditures not to exceed in aggregate sums finally appropriated.

SEC. 5. This Act shall not be construed as authorizing the duplication of any special expenditure or providing for the execution of any purpose which was intended to be accomplished only once or done solely for or during the fiscal year ending June 30, 1937.

Duplications, etc., restricted.

SEC. 6. (a) This Act shall not apply to any expenses or operations of the Federal Government the annual appropriations for which for the fiscal year ending June 30, 1938, have been made on or before July 1, 1937.

Not to apply to operations already provided for.

(b) On such date or dates subsequently to July 1, 1937, as the several pending supply bills shall, respectively, become law, the appropriations made by this Act and applicable to the expenses of operation covered by such pending supply bills shall no longer be available for obligation.

Available only until pending supply bills become law.

(c) Any appropriations in this Act for such first half of the month of July 1937 for any expense of operation for which an appropriation is proposed in, but not finally made by any of, such pending supply bills when the same shall have become law shall cease to be available for obligation on the date upon which the supply bill in which such appropriation was proposed becomes a law; and any expenditure under any such appropriation in this Act shall not be included in computing the total of expenditures under section 4 hereof.

Availability of appropriations.

SEC. 7. The terms "supply bill" and "supply bills", when used in this Act, mean one or more of the regular appropriation bills customarily enacted annually, and for the purposes of this Act title II of the War Department Appropriation Act for the fiscal year 1937 shall be deemed such a supply bill.

Terms defined.

SEC. 8. This Act may be cited as the "Extension of Appropriations Act, 1938".

Short title.

Approved, July 1, 1937.

[CHAPTER 425]

JOINT RESOLUTION

July 1, 1937
[H. J. Res. 433]
[Pub. Res., No. 50]

Making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the Railroad Retirement Account, and other activities, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1938, for the following respective purposes:

Appropriations for Civilian Conservation Corps, etc., fiscal year 1938.

LEGISLATIVE

Legislative.

JOINT COMMITTEE ON TAX EVASION AND AVOIDANCE

For payment of salaries and other expenses of the Joint Committee on Tax Evasion and Avoidance authorized by Public Resolution Numbered 40, approved June 11, 1937, including stenographic reporting services under contract without reference to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), per-diem allowances in lieu of actual expenses of subsistence, traveling expenses,

Joint Committee on Tax Evasion and Avoidance, expenses.
Ante, p. 253.
R. S. § 3709.
41 U. S. C. § 5.

law books, books of reference, periodicals, newspaper clippings, and such other expenditures as the joint committee deems advisable, fiscal years 1937 and 1938, $50,000, to be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

Division of disbursement.

PAYMENT OF PAGES

Pages.

For the payment of twenty-one pages for the Senate and forty-seven pages for the House of Representatives, at $4 per day each, for the period commencing July 1, 1937, and ending with the last day of the month in which the Seventy-fifth Congress adjourns sine die at the first session thereof, so much as may be necessary is appropriated for each legislative body.

Executive.

EXECUTIVE

Civilian Conservation Corps.

CIVILIAN CONSERVATION CORPS

Expenses.
Ante, p. 319.

For all authorized and necessary expenses to carry into effect the provisions of the Act entitled "An Act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937, including personal services in the District of Columbia and elsewhere; the purchase and exchange of law books, books of reference, periodicals, and newspapers; rents in the District of Columbia and elsewhere; the purchase (including exchange), operation, maintenance, and repair of motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes; hire, with or without personal services, of work animals, animal-drawn and motor-propelled vehicles, and watercraft; printing and binding; travel expenses, including not to exceed $2,000 for expenses of attendance at meetings concerned with the work of the Corps when specifically authorized by the Director; construction, improvement, repair, and maintenance of buildings, but the cost of any building erected hereunder shall not exceed $25,000; and all other necessary expenses; fiscal year 1938, $350,000,000, of which sum not to exceed $200,000 may be expended for salaries and expenses of the Office of the Director: *Provided*, That an enrollee in the Civilian Conservation Corps, or member, or former member, of the Military Establishment, who shall furnish blood from his or her veins for transfusion to the veins of an enrollee or discharged enrollee of the Civilian Conservation Corps undergoing treatment in a Government or civilian hospital authorized to treat such patient, shall be entitled to be paid therefor a reasonable sum not to exceed $50: *Provided further*, That the employment of employees of the Emergency Conservation Work and of the cooperating Federal agencies whose compensation is paid from Emergency Conservation Work funds, as of June 30, 1937, and whose employment was not specifically terminated as of that date, may be continued without reappointment, subject to review by the Director.

Rents in the District.
Vehicles.

Printing and binding.

Director's office, salary, etc., restriction.
Post, p. 757.

Provisos.
Payments for blood transfusions.

Continuance of designated employees without reappointment.

Railroad Retirement Board.

RAILROAD RETIREMENT BOARD

Railroad retirement account.
49 Stat. 969; *Ante*, p. 307.

Railroad retirement account: For an amount sufficient as an annual premium for the payments required under the Railroad Retirement Act, approved August 29, 1935, and the Railroad Retirement Act, approved June 24, 1937, and authorized to be appropriated to the railroad retirement account established under section 15 (a) of the latter Act, fiscal years 1937 and 1938, $99,880,000, together with the unexpended balance of the appropriation for the payment of annuities to employees, representatives, widows, widowers, or dependent

next of kin of employees, contained in the "Independent Offices Appropriation Act, 1937" and reappropriated in the "Independent Offices Appropriation Act, 1938": *Provided*, That such amount shall be available until expended for making payments required under said retirement acts, and the amount not required for current payments shall be invested by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937: *Provided further*, That all payments under sections 3, 4, and 5 of the Railroad Retirement Act, 1935, heretofore made from the appropriation contained in the "Independent Offices Appropriation Act, 1937", and reappropriated in the "Independent Offices Appropriation Act, 1938", shall be considered as having been made from the railroad retirement account herein established.

49 Stat. 1178; *Ante*, p. 341.

Provisos.
Availability.

Investments.

Ante, p. 316.

Accounting.

49 Stat. 1178; *Ante*, p. 340.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

Rent in District of Columbia.

Rent of buildings: Not to exceed $30,000 of such funds available to the Department of Agriculture for the fiscal year 1938, as the Secretary of Agriculture may determine, may be transferred to the appropriation for rent of buildings in the District of Columbia for such Department for such fiscal year.

TREASURY DEPARTMENT

Treasury Department.

Government losses in shipment fund
Post, p. 479.

For the establishment of "the fund for the payment of Government losses in shipment", authorized by the "Government Losses in Shipment Act", $500,000.

Retroactive provision.

SEC. 2. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1937, and the date of the enactment of this Joint Resolution in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Approved, July 1, 1937.

[CHAPTER 426]

AN ACT

To amend the Act relating to the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, approved June 10, 1930, and for other purposes.

July 2, 1937
[S. 2156]
[Public, No. 178]

Missouri River.
Time extended for bridging, at Omaha, Nebr.
46 Stat. 544; 49 Stat. 289.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for completing the construction of the bridge at or near Farnam Street, authorized under the provisions of section 3 of the Act entitled "An Act to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States", approved June 10, 1930, as extended, is hereby further extended one year from June 10, 1938. It is hereby recognized that construction has been heretofore commenced under the provisions of section 3 of said Act as extended, and said bridge may be constructed at any point, providing the west end of said bridge is within two thousand feet of the center line of said Farnam Street, irrespective of the site of the commencement hereby recognized, subject to the approval of the War Department and the approval of either of the Highway Departments of the States of Iowa or Nebraska, all in accordance with and subject to the provisions of said Act approved June 10, 1930, as extended, and as amended by this Act.

Commencement recognized.

Location.

SEC. 2. Any bridge constructed or to be constructed or owned and operated by the Omaha-Council Bluffs Missouri River Bridge Board

Bridge deemed Federal instrumentality.

of Trustees under said Act of 1930, as herein amended, shall be deemed a Federal instrumentality for facilitating interstate commerce, improving the postal service, and providing for military and other governmental purposes.

Acquisition, etc., of other bridges.

SEC. 3. That in addition to the powers granted by said Act of 1930, said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees may acquire and purchase and thereafter operate any other bridge or bridges (including approaches) over the Missouri River, which (including approaches) abuts upon or enters into the corporate limits of either or both the cities of Omaha, Nebraska, and Council Bluffs, Iowa, all in the manner provided by this Act and said Act of 1930, it being contemplated that all bridges owned and operated by said Board will be so financed that the obligations incurred will be amortized and the travel over such bridge or bridges will be made free of tolls at the same time. It shall be obligatory upon said Board that all toll revenues after paying the reasonable and proper charges of operation and maintenance and the accruing interest on the outstanding indebtedness be applied to the retirement of such indebtedness. The rate or rates of toll for crossing any bridge now or hereafter constructed which abuts upon or enters into the present corporate limits of both the cities of Omaha, Nebraska, and Council Bluffs, Iowa, shall not be reduced below the rate or rates now in effect on existing bridges so long as any indebtedness of said Board for the account of any bridge or bridges shall be outstanding and unpaid. To pay the cost of any such bridge or bridges so purchased the board may either separately, or in conjunction with the financing of any other bridge, issue bonds as provided in said Act of 1930 as herein amended: *Provided*, That said Board shall operate each of the bridges under its control and charge and collect such rates of toll for transit over same as will not reflect upon or impair the earnings of any other bridge operated by said board, or of which the construction was financed in whole or in part by a loan and a grant from the United States of America, or any agency or instrumentality thereof, to such extent as to adversely affect any outstanding bonds which may have been issued for account of such other bridge: *Provided further*, That the power granted in this section with respect to the acquisition and purchase of any other bridge shall not be exercised by said the Omaha-Council Bluffs Missouri River Board of Trustees until all terms of the proposed acquisition and purchase of any such bridge shall have been approved by the Highway Departments of the States of Iowa and Nebraska. The construction of no competing bridge shall hereafter be authorized, the operation of which will adversely affect such outstanding bonds, unless provision is otherwise made for the payment thereof: *Provided further*, That the rates of toll to be charged for transit over bridges operated by said Board shall at all times be subject to regulation by the Secretary of War under the authority contained in the Act of March 23, 1906.

Amortization of incurred obligations.

Toll rates.

Bond issue.

Provisos.
Operation not to impair earnings of any other bridge, etc.

Power to acquire any other bridge conditional upon State approval.

Regulation of toll rates.
34 Stat. 85.
33 U. S. C. § 494.

Acquisition authorized by States, cities, and counties designated.

SEC. 4. That either the State of Nebraska and the State of Iowa, separately or jointly, or the cities of Omaha and Council Bluffs, separately or jointly, or the counties of Douglas, Nebraska, and Pottawattamie, Iowa, separately or jointly, may at any time acquire and take over all right, title, and interest in all of the bridges, including approaches, and including any interest in real property necessary therefor, then owned and operated by said Board. It shall not be necessary to condemn or expropriate such property, but the said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives and assigns, shall deliver same by proper instrument of conveyance; and no damages or compensation whatsoever

Conveyance by Board of Trustees.

shall be allowed for any such right, title, and interest, but such conveyance shall be made and taken subject to the bonds, debentures, or other instruments of indebtedness of said Board then outstanding, including accrued interest thereon. Such instrument of conveyance shall be executed and delivered within a period of thirty days after a written notice of such intention to take over such property.

Right to acquire, etc., property.

SEC. 5. That in addition to the powers granted by said Act of 1930, as extended, said the Omaha-Council Bluffs Missouri River Bridge Board of Trustees, its legal representatives and assigns, are hereby granted power and authority to acquire, condemn, occupy and possess and use real estate and other property acquired for or devoted to a public use for park or other purposes by the State of Nebraska or the State of Iowa, or any governmental or political subdivision thereof, or any person or corporation which real estate or other property may be required for the location, construction, operation, and maintenance of such bridge and its approaches and highways leading thereto, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

Location, approaches, etc.

Federal aid. Expenditure. 23 U. S. C. §§ 1-25.

SEC. 6. Said bridge may be constructed with the aid of any Federal funds appropriated and apportioned to the States of Iowa and Nebraska, or either of them, for expenditure under the Federal Highway Act, as amended and supplemented, and the limitations of such Act, as amended and supplemented, relating to the construction of toll bridges with Federal funds, and the use of tolls controlled for transit over bridges so constructed and operated shall not be applicable to the tolls authorized to be charged under the provisions of this Act.

Amendment.

SEC. 7. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 2, 1937.

[CHAPTER 427]

AN ACT

July 5, 1937
[H. R. 2703]
[Public, No. 179]

To provide for the representation of the United States Court of Appeals for the District of Columbia on the annual conference of senior circuit judges.

United States Court of Appeals for the District of Columbia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 2 of the Act entitled "An Act for the appointment of an additional circuit judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes", approved September 14, 1922 (42 Stat. 838; U. S. C., title 28, sec. 218), is hereby amended to read as follows:

42 Stat. 838. 28 U. S. C. § 218.

Representation of, at annual conference of senior circuit judges.

SEC. 2. "It shall be the duty of the Chief Justice of the United States, or in case of his disability, of one of the other Justices of the Supreme Court, in order of their seniority, as soon as may be after the passage of this Act, and annually thereafter, to summon to a conference on the last Monday in September, at Washington, District of Columbia, or at such other time and place in the United States as the Chief Justice, or, in case of his disability, any of said Justices in order of their seniority, may designate, the senior circuit judge of each judicial circuit and the chief justice of the United States Court of Appeals for the District of Columbia. If any senior circuit judge is unable to attend, the Chief Justice, or in case of his disability, the Justice of the Supreme Court calling said

Time and place.

Substitute for senior circuit judge.

conference, may summon any other circuit or district judge in the judicial circuit whose senior circuit judge is unable to attend, and, if the chief justice of the United States Court of Appeals for the District of Columbia is unable to attend, any other justice of that court may be summoned in like manner, that each circuit may be adequately represented at said conference. It shall be the duty of every judge or justice thus summoned to attend said conference, and to remain throughout its proceedings, unless excused by the Chief Justice, and to advise as to the needs of his circuit and as to any matters in respect of which the administration of justice in the courts of the United States may be improved."

Attendance required.

Approved, July 5, 1937.

[CHAPTER 428]

AN ACT

July 5, 1937
[H. R. 3284]
[Public, No. 180]

To transfer Crawford County, Iowa, from the southern judicial district of Iowa to the northern judicial district of Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Crawford County, Iowa, of the western division of the southern judicial district of Iowa be, and it is hereby, detached from said judicial district and attached to the western division of the northern judicial district of Iowa.

Iowa judicial districts
Crawford County transferred to western division of northern judicial district.

Approved, July 5, 1937.

[CHAPTER 429]

AN ACT

July 5, 1937
[H. R. 4711]
[Public, No. 181]

To extend the times for commencing and completing the construction of a bridge across Puget Sound at or near a point commonly known as The Narrows in the State of Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge authorized by Act of Congress approved May 28, 1934, heretofore extended by Act of Congress approved August 27, 1935, to be built by the county of Pierce, State of Washington, across Puget Sound, at or near a point commonly known as The Narrows, are hereby further extended one and three years, respectively, from the date of approval hereof.

Puget Sound.
Time extended for bridging, at The Narrows, Wash.
48 Stat. 810; 49 Stat. 907.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 5, 1937.

[CHAPTER 430]

AN ACT

July 5, 1937
[H. R. 4795]
[Public, No. 182]

To provide for a term of court at Livingston, Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 92 of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 172), is amended to read as follows:

Montana judicial district.
36 Stat. 1118.
28 U. S. C. § 172.
Post, p. 837.

"The State of Montana shall constitute one judicial district, to be known as the district of Montana. Terms of the district court shall be held at Helena, Butte, Great Falls, Lewistown, Billings, Missoula, Glasgow, Havre, Miles City, and Livingston at such times

Terms of court; Livingston added.

as may be fixed by rule of such court: *Provided*, That suitable rooms and accommodations for holding court at Glasgow, Lewistown, Livingston, and Havre are furnished free of all expense to the United States. Causes, civil and criminal, may be transferred by the court or a judge thereof from any sitting place designated above to any other sitting place thus designated, when the convenience of the parties or the ends of justice would be promoted by the transfer; and any interlocutory order may be made by the court or judge thereof in either place."

Proviso. Rooms to be furnished free at places designated.

Transfer of causes.

Approved, July 5, 1937.

[CHAPTER 431]

AN ACT

To extend times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Indiana.

July 5, 1937
[H. R. 5848]
[Public, No. 183]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Wabash River, at or near Merom, Sullivan County, Indiana, authorized to be built by Sullivan County, Indiana, or any board or commission of said county which is or may be created or established for the purpose, by an Act of Congress approved February 10, 1932, heretofore extended by an Act of Congress approved April 30, 1934, and June 28, 1935, and May 1, 1936, are hereby extended one and three years, respectively, from the date of approval hereof.

Wabash River. Time extended for bridging, at Merom, Ind.

47 Stat. 44; 48 Stat. 654; 49 Stat. 429, 1254.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 5, 1937.

[CHAPTER 432]

AN ACT

To amend the Interstate Commerce Act.

July 5, 1937
[H. R. 6049]
[Public, No. 184]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 (1) of Part I of the Interstate Commerce Act is amended by inserting after the word "guide" the words "or seeing-eye dog or other guide dog specially trained and educated for that purpose".

Interstate Commerce Act, amendment. Seeing-eye, etc., dogs accompanying blind persons, transportation. 49 U. S. C. § 22.

Approved, July 5, 1937.

[CHAPTER 433]

AN ACT

Authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River in Washington County, Maryland, at or near a point opposite Shepherdstown, West Virginia, and a point at or near Shepherdstown, Jefferson County, West Virginia, to take the place of a bridge destroyed by flood.

July 5, 1937
[H. R. 6285]
[Public, No. 185]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Roads Commission of the State of Maryland and/or the State Road Commission of the State of West Virginia be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Potomac River, at a point suitable to the interests of navigation, in Washington County, Maryland, at or near a point

Potomac River. Construction of bridge authorized across, Shepherdstown, W. Va., to a point opposite in Maryland.

opposite Shepherdstown, West Virginia, and a point at or near Shepherdstown, Jefferson County, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. 34 Stat. 84. 33 U. S. C. §§ 491-498.

Right to acquire real estate, etc.

SEC. 2. There is hereby conferred upon the State Roads Commission of the State of Maryland and/or the State Road Commission of the State of West Virginia all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Condemnation proceedings.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 5, 1937.

[CHAPTER 434]

AN ACT

July 5, 1937
[H. R. 6286]
[Public, No. 186]

Authorizing the State Roads Commission of the State of Maryland and the State Road Commission of the State of West Virginia to construct, maintain, and operate a free highway bridge across the Potomac River at or near a point in the vicinity of Hancock, in Washington County, Maryland, and a point near the north end of Morgan County, West Virginia, to take the place of a bridge destroyed by flood.

Potomac River. Construction of bridge authorized across, Hancock, Md., to a point opposite in West Virginia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Roads Commission of the State of Maryland and/or the State Road Commission of the State of West Virginia be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Potomac River, at a point suitable to the interests of navigation, at or near a point in the vicinity of Hancock, in Washington County, Maryland; and a point near the north end of Morgan County, West Virginia, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. 34 Stat. 84. 33 U. S. C. §§ 491-498.

Right to acquire real estate, etc.

SEC. 2. There is hereby conferred upon the State Roads Commission of the State of Maryland and/or the State Road Commission of the State of West Virginia all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Condemnation proceedings.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 5, 1937.

[CHAPTER 435]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebraska.

July 5, 1937
[H. R. 6292]
[Public, No. 187]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Missouri River at or near Niobrara, Nebraska, authorized to be built by the county of Knox, State of Nebraska, by section 32 of the Act of Congress approved August 30, 1935, amended by Act of Congress approved May 18, 1936, are extended one and three years, respectively, from August 30, 1937.

Approved, July 5, 1937.

Missouri River.
Time extended for bridging, at Niobrara, Nebr.

49 Stat 1074, 1354.

[CHAPTER 436]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Snake River between Clarkston, Washington, and Lewiston, Idaho.

July 5, 1937
[H. R. 6494]
[Public, No. 188]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Snake River between Clarkston, Washington, and Lewiston, Idaho, authorized to be built by the States of Washington and Idaho, by an Act of Congress approved February 19, 1935, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 5, 1937.

Snake River.
Time extended for bridging, between Clarkston, Wash., and Lewiston, Idaho.

49 Stat. 27.

Amendment.

[CHAPTER 438]

JOINT RESOLUTION

To amend the Act entitled "An Act to amend section 4471 of the Revised Statutes of the United States, as amended."

July 5, 1937
[H. J. Res. 434]
[Pub. Res., No. 51]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to amend section 4471 of the Revised Statutes of the United States, as amended" (Public, Numbered 712, Seventy-fourth Congress), approved June 20, 1936, is amended by striking out "July 1, 1937" in the first line of the second paragraph thereof and inserting in lieu thereof "October 1, 1937".

Approved, July 5, 1937.

Passenger vessels.
Time extended for installing sprinkler systems on certain.
49 Stat. 1540.
46 U. S. C., Supp. II, § 464.

[CHAPTER 441]

AN ACT

To amend the Act of May 25, 1933 (48 Stat. 73).

July 8, 1937
[H. R. 2291]
[Public, No 189]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved May 25, 1933 (48 Stat. 73), be amended by changing the period at the end of the Act to a colon and by adding the following words: "*Provided*, That on and after the date of the accrediting of the said academies by the Association of American Universities the superintendents of the respective academies may, under such rules and regulations as the respective secretaries may make, confer the

Naval, Military, and Coast Guard Academies.
Degree of bachelor of science may be conferred on living graduates.
48 Stat. 73.
10 U. S. C. § 486a.

degree of bachelor of science upon such other living graduates of the said academies as shall have met the requirements of the respective academies for such degree."

Approved, July 8, 1937.

[CHAPTER 442]

AN ACT

July 8, 1937
[H. R. 3123]
[Public, No. 190]

To authorize the Secretary of War to lease to Old Fort Niagara Association, Incorporated, portions of the Fort Niagara Military Reservation, New York.

Fort Niagara Military Reservation, N. Y.
Portions of, leased to Old Fort Niagara Association.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to lease to Old Fort Niagara Association, Incorporated, a nonprofit membership corporation incorporated under the laws of the State of New York, that portion of the Fort Niagara Military Reservation, New York, known as Old Fort Niagara, including all grounds, buildings, and fortifications pertaining thereto which have been restored and rehabilitated by Old Fort Niagara Association, Incorporated, and the United States of America, together with such additional adjacent areas and/or buildings as, in the discretion of the Secretary of War, may be or become necessary for such term or terms and subject to such conditions as, in the discretion of the Secretary of War, shall be advisable:

Proviso.
Consideration.

Provided, however, That the consideration for any lease executed pursuant to this Act shall be the maintenance by said Old Fort Niagara Association, Incorporated, of said premises in accordance with the terms of such lease, and every such lease shall be revocable at will by the Secretary of War.

Approved, July 8, 1937.

[CHAPTER 443]

AN ACT

July 8, 1937
[H. R. 6436]
[Public, No. 191]

Authorizing cash relief for certain employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act.

Panama Canal, employees.
Superannuation pay for certain, not qualifying under Retirement Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor of the Panama Canal, under such regulations as may be prescribed by the President of the United States, may pay cash relief to such employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act as may become unfit for further useful service by reason of mental or physical disability resulting from age or disease, and also to such former employees of the Panama Canal not coming within the provisions of the Canal Zone Retirement Act as have within three years prior to the date of enactment of this Act been separated from the service because of unfitness for further useful service by reason of such disability:

Proviso.
Limitation on amount.

Provided, That such cash relief shall not exceed $1 per month for each year of service of the employee so furnished relief, with a maximum of $25 per month, nor be granted to any employee having less than ten years' service with the Panama Canal, including any service with the Panama Railroad Company on the Isthmus of Panama.

Annual appropriation authorized.

SEC. 2. That there is hereby authorized to be appropriated annually such sums as may be necessary to carry out the provisions of this Act.

Approved, July 8, 1937.

[CHAPTER 444]

AN ACT

To dispense with the necessity for insurance by the Government against loss or damage to valuables in shipment, and for other purposes.

July 8, 1937
[H. R. 6635]
[Public, No. 192]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as soon as practicable after the approval of this Act the Secretary of the Treasury and the Postmaster General shall, jointly, with the approval of the President, prescribe regulations governing the shipment of valuables by the executive departments, independent establishments, agencies, wholly owned corporations, officers, and employees of the United States, with a view to minimizing risks of loss and destruction of, and damage to, such valuables in shipment. After the effective date of such regulations, which shall be not more than thirty days after their issuance, it shall be the duty of every such executive department, independent establishment, agency, wholly owned corporation, officer, and employee, and of every person acting for him or it, or at his or its direction, to comply with such regulations in making any shipment of valuables.

Government Losses in Shipment Act
Shipments of valuables by Federal departments, agencies, etc.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $500,000 to be used, under the direction of the Secretary of the Treasury, for the replacement of valuables, or the value thereof, lost, destroyed, or damaged in the course of shipment effected pursuant to the regulations prescribed under section 1. There is hereby further authorized to be appropriated annually, beginning with the fiscal year 1939 and ending with the fiscal year 1948, inclusive, the sum of $200,000 for the said purposes, and from time to time such additional sums as may be necessary for the said purposes. There shall be in the Treasury of the United States a revolving fund, to be known as "the fund for the payment of Government losses in shipment" (hereinafter referred to as "the fund"), to be constituted of the said sum of $500,000 and the sums hereafter appropriated for the said purposes, together with all recoveries and repayments credited to the fund as hereinafter provided. There is hereby further authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, for expenditures under the direction of the Secretary of the Treasury, to be used for the payment of administrative expenses, including personal services, necessary to carry out the provisions of this Act for the fiscal year 1938.

Sum authorized for replacement of losses, etc.
Ante, p. 471.

Annual appropriations authorized.

Revolving fund established.

Amount for administrative expenses.

SEC. 3. In the event of loss or destruction of, or damage to, valuables of which shipment shall have been made pursuant to the regulations prescribed under section 1, a claim in writing for replacement shall be made upon the Secretary of the Treasury who, if he shall be satisfied that such loss, destruction, or damage has occurred and that shipment was made substantially in accordance with such regulations, shall cause replacement to be made out of the fund through such officers as he may designate. Notwithstanding any provision of law to the contrary, the decision of the Secretary of the Treasury that such loss, destruction, or damage has occurred or that such shipment was made substantially in accordance with such regulations shall be final and conclusive and shall not be subject to review by any other officer of the United States: *Provided, however*, That where the Secretary of the Treasury determines that such replacement can be effected, in whole or in part, without actual or ultimate injury to the United States, by a credit in the accounts of

Procedure for satisfying claims.

Decisions of Secretary of the Treasury.

Provisos.
Fund not to be resorted to if replacement effected by credit in accounts.

the executive department, independent establishment, agency, officer, employee, or other accountable person making the claim, he shall not resort to the fund, except to the extent that such replacement cannot be so effected by such credit, but shall certify such determination to the Comptroller General and, upon receipt of such certification, the Comptroller General is authorized and directed to make such credit in the settlement of accounts in the General Accounting Office: *Provided further*, That the fund shall not be available with respect to any loss, destruction, or damage affecting valuables of which shipment shall have been made by or on behalf of the Public Debt Service of the Treasury Department, insofar as such loss, destruction or damage is chargeable against the indefinite appropriation "Expenses of loans, Act of September 24, 1917, as amended and extended" (U. S. C., 1934 edition, title 31, secs. 760, 761): *And provided further*, That the fund shall not be available with respect to any loss, destruction, or damage affecting valuables, insofar as such loss destruction, or damage may be adjusted by the Postmaster General under the provisions of the Act of March 17, 1882, as amended (U. S. C., 1934 edition, title 39, sec. 49); nor shall it be available with respect to any loss, destruction, or damage affecting valuables of which shipment shall have been made at the risk of persons other than the United States, its executive departments, independent establishments, agencies, wholly owned corporations, officers, and employees. All recoveries and repayments on account of loss, destruction, or damage to valuables of which replacement shall have been made out of the fund shall be credited to it and shall be available for the purposes thereof.

Certification to Comptroller General.

Shipments of valuables by Public Debt Service.

40 Stat. 292.
31 U. S. C. §§ 760, 761.

Fund not available for losses adjusted by Postmaster General

39 U. S. C. § 49.

Fund unavailable where shipments made at risk of private individuals

Credit for recoveries and repayments.

SEC. 4. On and after the effective date of the regulations prescribed under section 1, no executive department, independent establishment, agency, wholly owned corporation, officer, or employee shall expend any money, or incur any obligation, for insurance, or for the payment of premiums on insurance, against loss, destruction, or damage in the shipment of valuables except as specifically authorized by the Secretary of the Treasury. The Secretary of the Treasury may give such authorization if he shall find that the risk of loss, destruction, or damage in such shipment cannot be adequately guarded against by the facilities of the United States or that the circumstances are such that adequate replacement cannot be provided under this Act.

Insuring of shipments forbidden; exception.

Special cases authorized by Secretary.

SEC. 5. Every officer and employee of the United States and every person acting on behalf of a wholly owned corporation who makes a shipment of valuables in good faith pursuant to and substantially in accordance with the regulations prescribed under section 1 shall be deemed, insofar as there may be concerned the propriety with respect to such shipment of any act or omission governed by such regulations, to be acting in faithful execution of his duties of office and in full performance of the conditions of his bond and oath of office, if any.

Officer, etc., making shipment in accordance with regulations.

SEC. 6. The Secretary of the Treasury shall have power, with the approval of the President, to make such rules and regulations as may be necessary for the execution of the functions vested in him by this Act, and may for such purpose require persons making shipment of valuables or making claims for replacement to make such declarations or to furnish him with such other information as he may deem necessary.

Rules and regulations by Secretary of Treasury.

SEC. 7. For the purposes of this Act—

Terms defined—

"Valuables."

(a) The term "valuables" means any article or thing or representative of value in which the United States has any interest, or in connection with which it has any obligation or responsibility, direct or

indirect, and which is of, or is similar to, a class or kind of article or thing or representative of value which it has been the practice heretofore of the United States to insure as the insured party, against loss, destruction, or damage in shipment, and includes, but is not limited to, coin, specie, bullion, currency, bonds, coupons, debentures, bills, notes, certificates of indebtedness, certificates of deposit, mortgages, assignments, certificates of stock, warehouse receipts, checks, trust receipts, warrants, stamps, and any other securities, papers, or materials of value, whether complete, incomplete, mutilated, in definitive form, or represented by interim documents; the term "United States" as used in this subsection means the United States or any of its executive departments, independent establishments, agencies, wholly owned corporations, officers, or employees;

"United States."

(b) The term "shipment" means the transportation, or the effecting of transportation, of valuables, without limitation as to the means or facilities used or by which the transportation, is effected or the person to whom it is made, and includes, but is not limited to, shipments made to any executive department, independent establishment, agency, wholly or partly owned corporation, officer, or employee of the United States, or any person acting on his or its behalf or at his or its direction;

"Shipment."

(c) The term "wholly owned corporation" means any corporation, regardless of the law or laws under which it is incorporated, the capital of which is entirely owned, directly or indirectly, by the United States, and includes the duly authorized officers, employees, and agents thereof;

"Wholly owned corporation."

(d) The term "replacement" means payment, reimbursement, replacement, or duplication or the expenses incident thereto.

"Replacement."

SEC. 8. (a) Whenever it is clearly proved to the satisfaction of the Secretary of the Treasury—

Powers of Secretary in designated cases.

(1) That any interest-bearing security of the United States, identified by number and description, payable to bearer or so assigned as to become, in effect, payable to bearer, has been wholly or partly destroyed, or so mutilated or defaced as to impair its value to the owner, or has been lost or stolen under such circumstances, and such a period of time having elapsed after it has matured or has become redeemable pursuant to a call for redemption, as in the judgment of the Secretary would indicate that it has been destroyed or irretrievably lost, is not held by any person as his own property and will never become the basis of a valid claim against the United States; or

Loss, destruction, etc., of interest-bearing security.

(2) That any interest-bearing security of the United States, identified by number and description, which is not payable to bearer and which has not been so assigned as to become, in effect, payable to bearer, has been lost or stolen, so that it is not held by any person as his own property, or has been wholly or partly destroyed, or so mutilated or defaced as to impair its value to the owner;

Registered, etc., securities.

the Secretary, upon receipt and approval by him of a bond of indemnity, if and as required by subsection (b) hereof, shall, in the case of a security which has not matured or become redeemable pursuant to a call for redemption, issue a substitute marked "duplicate" and showing the serial number of the original security; or shall, in the case of a security which has matured or become redeemable pursuant to a call for redemption, make payment thereof to the owner, with such interest only as would have been paid had the security been presented when it became due and payable: *Provided*, That in the case of an interim certificate relief may be given by the issue of a definitive security, whether before or after maturity, rather than

Issuance of duplicate.
Indemnity bond.

Payment, if security has matured.

Provisos.
Interim certificates.

Attached interest coupons.

by the issue of a substitute or by payment: *And provided further*, That no payment shall be made on account of interest coupons claimed to have been attached to such original security unless the Secretary is satisfied that such coupons have not been paid, and are in fact destroyed or can never become the basis of a valid claim against the United States.

Indemnity bond to be filed.

(b) Except as hereinafter provided, the owner of such lost, stolen, destroyed, mutilated, or defaced security shall file with the Secretary of the Treasury a bond, to indemnify the United States, in such form and amount and with such surety, sureties, or security as the Secretary of the Treasury shall require: *Provided*, That in case of securities payable to bearer or so assigned as to become, in effect, payable to bearer, the destruction of which has not been proved, a corporate surety, qualified under the provisions of the Act of August 13, 1894, as amended (U. S. C., 1934 edition, title 6, secs. 6–13), shall be required on such bond of indemnity: *And provided further*, That a bond of indemnity shall not be required in any of the following classes of cases, except as hereinafter provided:

Provisos.
Corporate surety required if security payable to bearer, etc.

28 Stat. 279.
6 U. S. C. §§ 6–13.

Bond not required in cases designated.

Loss, etc., while in custody of United States.

Postal Service excepted.

(1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner and while the security was in the custody or the control of the United States (not including the Postal Service when acting solely in its capacity as the public carrier of the mails), or of a person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under the provisions of this Act;

Where entire security presented and surrendered.

(2) If substantially the entire security is presented and surrendered by the owner and the Secretary of the Treasury is satisfied as to the identity of the security presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States;

Where security is transferable only by operation of law.

(3) If the lost, stolen, destroyed, mutilated, or defaced security is one which by the provisions of law or by the terms of its issue is transferable only by operation of law;

Owner is a State, etc.

(4) If the owner is a State or political subdivision thereof, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank:

Proviso.
Exception.

Provided, however, That in any of the foregoing classes of cases the Secretary of the Treasury may require a bond of indemnity if he deems it essential to the public interest.

"Interest-bearing security of the United States" or "security", defined.

(c) The term "interest-bearing security of the United States" or "security", wherever used in this section, means any direct obligation of the United States issued pursuant to law for valuable consideration and which by its terms bears interest, or is issued on a discount basis, and includes (but is not limited to) bonds, notes, certificates of indebtedness, and Treasury bills, and interim certificates issued for any such security.

Administrative rules, etc.

(d) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of this section.

Sections of Revised Statutes repealed.
R. S. §§ 3702–3705.
31 U. S. C. §§ 735–738.

(e) Sections 3702, as amended, 3703, 3704, and 3705 of the Revised Statutes of the United States (U. S. C., title 31, secs. 735, 736, 737, and 738) are hereby repealed.

Section amended.
R. S. § 3646.
31 U. S. C. § 528.

SEC. 9. Section 3646 of the Revised Statutes of the United States (U. S. C., 1934 edition, title 31, sec. 528), as amended, is further amended to read as follows:

Lost, destroyed, etc., checks, duplicates to be issued.

"(a) Except as hereinafter provided, whenever it is clearly proved to the satisfaction of the Secretary of the Treasury that any original

check of the United States is lost, stolen, or wholly or partly destroyed, or is so mutilated or defaced as to impair its value to its owner or holder, persons authorized to issue such checks on behalf of the United States are authorized, before the close of the fiscal year following the fiscal year in which the original check was issued, to issue to the owner or holder thereof a substitute, marked 'duplicate' and showing the number, date, and payee of the original check, upon the receipt and approval by the Secretary of the Treasury of a bond, to indemnify the United States, in such form and amount and with such surety, sureties, or security as the Secretary of the Treasury shall require; but no such substitute shall be payable if the original check shall first have been paid: *Provided, however*, That the authority herein conferred to issue substitute checks may, in the case of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, be issued without limitation of time.

Indemnity bond.

Condition of payment.

Proviso. Time limitation waived in specified cases.

"(b) A bond of indemnity shall not be required under subsection (a) of this section in any of the following classes of cases except as hereinafter provided: (1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner or holder and while the check was in the custody or control of the United States (not including the Postal Service when acting solely in its capacity as the public carrier of the mails), or of a person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under the provisions of the Government Losses in Shipment Act; (2) if substantially the entire check is presented and surrendered by the owner or holder and the Secretary of the Treasury is satisfied as to the identity of the check presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States; (3) if the Secretary of the Treasury is satisfied that the original check is not negotiable and cannot be made the basis of a valid claim against the United States; (4) if the amount of the check is less than $50 and the Secretary of the Treasury is satisfied that the giving of a bond of indemnity would be an undue hardship to the owner or holder; (5) if the owner or holder is a State or political subdivision thereof, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank: *Provided, however*, That in any of the foregoing classes of cases the Secretary of the Treasury may require a bond of indemnity if he deems it essential to the public interest.

Indemnity bond not required in cases designated.

Loss, without fault of owner, and while check in U. S. custody, etc.

Substantially entire check presented, etc.

Original check not negotiable.

Check less than $50 and giving bond would be undue hardship.

Owner is a State, etc.

Proviso. Indemnity bond.

"(c) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of the provisions of this section.

Rules and regulations.

"(d) Notwithstanding the provisions of subsections (a), (b), and (c) of this section, whenever any original check of the Post Office Department has been lost, stolen, or destroyed, the Postmaster General may authorize the issuance of a substitute, marked 'duplicate' and showing the number, date, and payee of the original check, before the close of the fiscal year following the fiscal year in which the original check was issued, upon the execution by the owner thereof of such bond of indemnity as the Postmaster General may prescribe: *Provided*, That when such original check does not exceed in amount the sum of $50 and the payee or owner is, at the date of the application, an officer or employee in the service of the Post Office Department, whether by contract, designation, or appointment, the Postmaster General may, in lieu of an indemnity bond, authorize the

Post Office Department.

Duplicates for lost, etc., original checks of.

Indemnity bond.

Proviso. Affidavit permitted in lieu, if sum less than $50.

issuance of a substitute check or warrant upon such an affidavit as he may prescribe, to be made before any postmaster by the payee or owner of an original check.

Payment of substitutes.

"(e) Substitutes, marked as hereinabove provided, drawn on the Treasurer of the United States, shall, after the lapse of the period fixed by section 21 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1235; U. S. C., 1934 edition, title 31, sec. 725 (t)), for the payment of the original checks, be payable only as the original checks would be payable thereunder.

48 Stat. 1235.
31 U. S. C. § 725 (t).

"Original check" defined.

"(f) The term 'original check' wherever used in this section means any check, warrant, or other order for the payment of money, payable upon demand and not bearing interest, drawn by a duly authorized officer or agent of the United States on its behalf against an account or funds of the United States, whether upon a bank or upon the Treasurer or other paying officer of the United States, but does not include money, coins, or currency of the United States nor instruments issued by any corporation or other entity owned or controlled by the United States, whether in whole or in part, against such corporation's or entity's own funds; as used in subsection (d) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department."

Short title.

SEC. 10. This Act may be cited as the "Government Losses in Shipment Act".

Effective date.

SEC. 11. This Act shall become effective on July 1, 1937.

Approved, July 8, 1937.

[CHAPTER 445]

AN ACT

July 8, 1937
[H. R. 7206]
[Public, No. 193]

To permit the temporary entry into the United States under certain conditions of alien participants and officials of the World Association of Girl Guides and Girl Scouts Silver Jubilee Camp to be held in the United States in 1937.

Girl Guides and Girl Scouts Silver Jubilee Camp, 1937.
Temporary entry of alien participants, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That alien Girl Guides and Girl Scouts participants, officials, and executives who are accredited members of delegations to the Silver Jubilee Camp to be held in the United States in 1937, all of whom are nonimmigrants, if otherwise admissible into the United States under the immigration laws, shall be exempted from payment of the tax of $8 prescribed by section 2 of the Immigration Act of 1917 and exempted from the fees prescribed by law to be collected in connection with executing an application for a visa and visaing the passport or other travel document of an alien for the purpose of entering the United States as a nonimmigrant, and such aliens shall not be required to present official passports issued by the governments to which they owe allegiance: *Provided*, That aliens shall be in possession of official Girl Guide or Girl Scout identity cards issued by their own governments or issued by the World Association of Girl Guides and Girl Scouts indicating their Girl Guide or Girl Scout status and nationality, and duly visaed without charge by American consular officers abroad: *And provided further*, That such aliens shall comply with regulations not inconsistent with the foregoing provisions which shall be prescribed by the Secretary of Labor and Secretary of State: *Provided, however*, That nothing herein shall relieve an alien from being required to obtain a gratis nonimmigration visa if coming to the United States as a nonimmigrant, or an immigration visa if coming to the United States as an immigrant.

Exemption from tax, etc.
39 Stat. 875
8 U. S. C. § 132.
Visa, etc., fees waived.

Passports.

Provisos.
Identification required.

Compliance with prescribed regulations.

Obtaining of visas by aliens.

SEC. 2. That such aliens shall be permitted free entry of their personal effects and their equipments to be used in connection with the Silver Jubilee Camp, under such regulations as may be prescribed by the Secretary of the Treasury.

Free entry of personal effects.

Approved, July 8, 1937.

[CHAPTER 468]

AN ACT

July 8, 1937
[H. R. 7021]
[Public, No. 194]

Validating and confirming certain mineral patents issued for lands situated in township 5 south, range 15 east, Montana principal meridian, in the State of Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That those certain mineral patents heretofore issued by the President of the United States, under the mineral laws of the United States, upon the quartz-lode, placer-mining, and mill-site claims described as follows: The Minneapolis Placer Numbered 1, survey numbered 64, except that part thereof within and conflicting with the southweast[1] quarter, section 15, township 5 south, range 15 east, Montana principal meridian; the Millsite, survey numbered 63–F; the Stillwater Placer Numbered 1, survey numbered 71, except as to that portion thereof within and conflicting with the west half southwest quarter, section 28, and the northeast quarter northeast quarter, section 32, township 5 south, range 15 east, Montana principal meridian; Rough Rock, survey numbered 63–B; Stillwater, survey numbered 63–E; Something, survey numbered 72–B; Mountain View, survey numbered 63–A; Red Bird, survey numbered 63–C; Big Thing, survey numbered 63–D; Rough Rock Numbered 2, survey numbered 72–A; Brooklyn, survey numbered 69–A; Avalanche, survey numbered 69–B; Bald Eagle, survey numbered 69–D; Cataract, survey numbered 69–C; New Wabelisky, survey numbered 68–B; Sumit, survey numbered 68–A; Perseverance, Emerald, Blue Jay, Copper Bottom, and Ridge Lode mining and mill-site claims, designated by the Surveyor General as lots numbered 70–A, 70–B, 70–C, 70–D, 70–E, and 70–F, respectively, in the Stillwater mining district, township 5 south, range 15 east, Montana principal meridian, in the counties of Stillwater and Sweet Grass, State of Montana, which lands were, at the time the said patents were issued, described, as or assumed to be situate in township 7 south, range 16 east, Montana principal meridian, then unsurveyed, but were in fact situate in township 5 south, range 15 east, Montana principal meridian, be, and the said mineral patents and the titles conveyed thereby are, hereby validated and confirmed.

Montana.
Certain mineral patents heretofore issued, validated and confirmed.
Description.

Approved, July 8, 1937.

[CHAPTER 469]

AN ACT

July 9, 1937
[H. R. 5394]
[Public, No. 195]

To provide for the acquisition of certain lands for, and the addition thereof to, the Yosemite National Park, in the State of California, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to acquire, by purchase when purchaseable at prices deemed by him reasonable—otherwise by condemnation under the provisions of the Act of August 1, 1888, on behalf of the United States under any fund or moneys available

Yosemite National Park, Calif.
Lands added.
Condemnation proceedings.
25 Stat. 357.
40 U. S. C. § 257.
Post, p. 764.

[1] So in original.

for such purpose, at the time of the passage of this Act, except from the general fund of the Treasury, any of the following-described lands in the State of California now in private ownership, to wit: Section 25, lots 3, 4, 5, 8, and 9, section 34, northeast quarter, southeast quarter of the northwest quarter, lots 1 to 10, inclusive, section 35, section 36, township 1 south, range 19 east; southeast quarter northwest quarter, east half southwest quarter, southeast quarter, lots 2, 3, and 4, section 30, section 31, township 1 south, range 20 east; sections 1, 2, and 3, east half section 10, sections 11 and 12, north half section 14, northeast quarter section 15, township 2 south, range 19 east; southeast quarter northwest quarter, east half southwest quarter, lots 3 to 7, inclusive, section 6, township 2 south, range 20 east, Mount Diablo meridian.

Description.

Additions to become part of park.

SEC. 2. When title to the aforesaid privately owned lands has been vested in the United States, all of the lands described in section 1 hereof shall be added to and become a part of the Yosemite National Park and shall be subject to all laws and regulations applicable thereto: *Provided*, That nothing in this Act shall be construed to affect any valid existing rights.

Proviso.
Existing rights not affected.

Federal Water Power Act of 1920.
Provisions not to apply.
41 Stat. 1063.
16 U. S. C. §§ 791-823.

SEC. 3. The provisions of the Act approved June 10, 1920, as amended, known as the Federal Water Power Act, shall not apply to any of the lands added to the Yosemite National Park pursuant to the provisions of this Act.

Approved, July 9, 1937.

[CHAPTER 470]

July 9, 1937
[H. R. 6144]
[Public, No. 196]

AN ACT

To amend the Canal Zone Code.

Canal Zone Code, amendments.
48 Stat. 1122.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 1 of title 2, Canal Zone Code, approved June 19, 1934 (48 Stat. 1122), is amended by adding at the end of said chapter a new section numbered 14 and reading as follows:

Air navigation.
Control over aviation activities.

"14. Air navigation: The Government of the United States is hereby declared to possess, to the exclusion of all foreign nations, sovereign rights, power, and authority over the air space above the lands and waters of the Canal Zone. Until Congress shall otherwise provide, the President is authorized to make rules and regulations and to alter and amend the same from time to time governing aircraft, air navigation, air-navigation facilities, and aeronautical activities within the Canal Zone. Any person who shall violate any of the rules or regulations issued in pursuance of the authority contained in this section shall be punishable by a fine of not more than $500, or by imprisonment in jail for not more than one year, or by both."

President to make rules, etc., governing aircraft, facilities, etc.

Penalty for violation.

SEC. 2. That chapter 3 of title 2, Canal Zone Code, relative to administering oaths and summoning witnesses, is amended by adding at the end of said chapter a new section numbered 44 and reading as follows:

Administration of oaths.

"44. Administering oaths in inquests and in deportation proceedings: Officers of the Panama Canal designated by the Governor or by his authority to act as coroner and deputy coroners and authorized to hold inquests in the Canal Zone, and officers designated by such authority to conduct hearings in reference to the exclusion and deportation of persons from the Canal Zone, are hereby authorized to administer oaths in the conduct of such proceedings."

SEC. 3. That section 81 of title 2 of the Canal Zone Code is amended so as to read as follows:

Personnel; appointment, removal, compensation, service, etc.

"81. Appointment, removal, and compensation of necessary persons: All persons, other than the Governor of the Panama Canal, necessary for the care, management, maintenance, sanitation, government, operation, and protection of the Canal and Canal Zone shall—

"(a) Be appointed by the President or by his authority;

"(b) Be removable at the pleasure of the President; and

"(c) Receive such compensation as shall be fixed by the President or by his authority until such time as Congress may by law regulate the same;

and such persons shall be employed and shall serve under such conditions of employment, including matters relating to transportation, medical care, quarters, leave and the commutation thereof, and office hours and hours of labor, as have been or shall hereafter be prescribed by the President: *Provided, however*, That salaries or compensation fixed by the President hereunder shall in no instance exceed by more than 25 per centum the salary or compensation paid for the same or similar services to persons employed by the Government in continental United States: *And provided further*, That nothing contained in this section shall affect the application to employees of the Panama Canal of the provisions of section 23 of the Independent Offices Appropriation Act, 1935 (48 Stat. 522)."

Provisos.
Salary restriction.

Weekly compensation of mechanics.

48 Stat. 522.

Approved, July 9, 1937.

[CHAPTER 471]

AN ACT

To amend Public Act Numbered 467, Seventy-third Congress, entitled "Federal Credit Union Act."

July 9, 1937
[H. R. 6287]
[Public, No. 197]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Credit Union Act is amended by inserting at the end thereof the following new section:

Federal Credit Union Act, amendment.
48 Stat. 1216.
12 U. S. C. §§ 1751–1770.

"SEC. 21. Upon application by any credit union organized under State law or by any Federal credit union organized in accordance with the terms of this Act, the membership of which is composed exclusively of Federal employees and members of their families, which application shall be addressed to the officer or agency of the United States charged with the allotment of space in the Federal buildings in the community or district in which said credit union or Federal credit union does business, such officer or agency may in his or its discretion allot space to such credit union if space is available without charge for rent or services."

Space in Federal buildings for Federal employee credit unions.

Approved, July 9, 1937.

[CHAPTER 472]

AN ACT

To amend the stamp provisions of the Bottling in Bond Act.

July 9, 1937
[H. R. 6737]
[Public, No. 198]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first and fourth paragraphs of section 1 of the Act entitled "An Act to allow the bottling of distilled spirits in bond", approved March 3, 1897, as amended (U. S. C., 1934 edition, Supp. II, title 26, sec. 1276), are designated "(1)" and "(6)", respectively, and the second and third paragraphs of said section are amended to read as follows:

Internal revenue.
Bottling of distilled spirits in bond.
29 Stat. 626; 49 Stat. 1944.
26 U. S. C., Supp. II, § 1276.

"(2) Every bottle when filled shall have affixed thereto and passing over the mouth of the same a stamp denoting the quantity of

Bottle stamps.

distilled spirits contained therein and evidencing the bottling in bond of such spirits under the provisions of this Act, and of regulations prescribed hereunder.

Regulations.

"(3) The Commisisoner [1] of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe (a) regulations with respect to the time and manner of applying for, issuing, affixing, and destroying stamps required by this section, the form and denominations of such stamps, applications for purchase of the stamps, proof that applicants are entitled to such stamps, and the method of accounting for receipts from the sale of such stamps, and (b) such other regulations as the Commissioner shall deem necessary for the enforcement of this Act.

Accounting.

Issuance of stamps.

"(4) Such stamps shall be issued by the Commissioner of Internal Revenue to each collector of internal revenue, upon his requisition in such numbers as may be necessary in his district, and, upon compliance with the provisions of this Act and regulations issued hereunder shall be sold by collectors to persons entitled thereto, at a price of 1 cent for each stamp, except that in the case of stamps for containers of less than one-half pint, the price shall be one-quarter of 1 cent for each stamp.

Brands, etc., on cases.

"(5) And there shall be plainly burned, embossed, or printed on the side of each case, to be known as the Government side, such marks, brands, and stamps to denote the bottling in bond of the whisky packed therein as the Commissioner may by regulations prescribe."

Approved, July 9, 1937.

[CHAPTER 473]

JOINT RESOLUTION

July 9, 1937
[S. J. Res. 88]
[Pub. Res., No. 52]

Providing for the participation of the United States in the world's fair to be held by the San Francisco Bay Exposition, Incorporated, in the city of San Francisco during the year 1939, and for other purposes.

Golden Gate International Exposition, 1939.
Preamble.

Whereas there is to be held in the city of San Francisco during the year 1939 a world's fair and celebration commemorating the completion of the San Francisco-Oakland Bridge and the Golden Gate Bridge, and designed to gather, arrange, and exhibit the varied cultures of the countries tributary to the Pacific Ocean and the origins, progress, and accomplishments in science, the arts, education, industry, business, and transportation of the Pacific area of the United States, and the nations of the world;

Whereas a site for the exposition, an island of four hundred acres, municipally owned and located in the center of San Francisco Bay, is now nearing completion, and the San Francisco Bay Exposition, Incorporated, will expend not less than $24,500,000 on its improvement; said site, upon the close of the exposition to become a municipal airport serving the entire metropolitan San Francisco Bay district, and forming an adjunct of vast importance to national defense; and

Whereas such world fair and celebration are worthy and deserving of the support and encouragement of the United States; and the United States has aided and encouraged such world's fairs and celebrations in the past: Therefore be it

Commission established.
Name, composition, service, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission, to be known as the United States Golden Gate International Exposition Commission and to be com-

[1] So in original.

posed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, three Members of the House to be appointed by the Speaker of the House of Representatives and three Members of the Senate to be appointed by the President of the Senate; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of a world's fair and celebration in the city of San Francisco during the year 1939.

United States Commissioner. Appointment, salary, etc.

SEC. 2. There shall be a United States Commissioner for the Golden Gate International Exposition, who shall be appointed by the President, and who shall receive compensation at the rate of $10,000 per annum, and one Assistant Commissioner for said Golden Gate International Exposition, who shall be appointed by the Commissioner with the advice and approval of the Commission herein designated and shall receive compensation not to exceed $7,500 per annum. The salary and expenses of the Commissioner, the Assistant Commissioner, and such staff as the Commission may require, shall be paid out of the funds authorized to be appropriated by this joint resolution, for such period prior to the opening of the Golden Gate International Exposition as the Commission may determine, for the duration of the Golden Gate International Exposition, and for not more than six months after the official closing thereof.

Assistant Commissioner.

Funds for expenses.

Duties and powers of Commissioner.

SEC. 3. The Commission shall prescribe the duties of the United States Commissioner and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at the Golden Gate International Exposition by the Government of the United States, its executive departments, independent offices, and establishments, such articles and materials and documents and papers as may relate to the growth and development of civilization on the American continents and such as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the historic growth and nature of American institutions, particularly as regards their adaptation to the needs of the people.

Exhibits of executive departments, etc.

Powers of Commission enumerated.

SEC. 4. In carrying out the purposes of this joint resolution, the Commission is authorized—

Appointment of personnel. 5 U. S. C. §§ 661-674.

(a) To appoint, without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended, such clerks, stenographers, and other assistants, and to engage by contract or otherwise such other services as may be necessary in connection with the performance of the functions of the Commission, including the preparation of exhibits plans: *Provided, however,* That for similar services, the pay shall not be in excess of that provided by the Classification Act of 1923, as amended.

Contract services.

Proviso. Limitation.

Building construction, landscaping, etc.

(b) To erect, on land owned by the city and county of San Francisco, such building or buildings, or other structures, and to provide for the landscaping of the site or sites thereof: *Provided,* That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931 (46 Stat. 1494), shall be paid; to rent such space in the District of Columbia or elsewhere, without regard to section 322 of the Act of June 30, 1932 (47 Stat. 412), as the Commission may deem necessary; and to provide for the decoration and maintenance of buildings, structures, sites, and grounds during the period deemed necessary by the Commission.

Proviso. Prevailing rate of wages to be paid. 46 Stat. 1494. 40 U. S. C. § 276a.

Rent. 47 Stat. 412, 1517. 40 U. S. C. § 40a.

Decoration, maintenance, etc.

Salaries of detailed employees; limitation.

(c) To use funds appropriated under authority of the joint resolution to pay salaries of employees of other Government agencies detailed or loaned for duty with the Commission at rates not in excess of the rates received in the agency from which detailed or

Books of reference, periodicals, etc.

Vehicles.

Printing and binding.

Entertainment.

Insurance.

loaned; to purchase books of reference, newspapers, and periodicals, payment for which, and for telephone service, rents, and similar items, may be made in advance; to purchase, hire, maintain, repair, and operate passenger-carrying vehicles for use of the Commissioner and Assistant Commissioner without regard to the statutory restrictions upon the price for new cars or the amounts which may be expended for maintenance, repair, and operation; to have printing and binding done elsewhere than at the Government Printing Office in the discretion of the Commission; to entertain distinguished guests; to provide for reimbursement of expenses of travel by airplane when deemed necessary notwithstanding the cost may exceed the cost by rail; to provide for insurance on privately owned exhibits loaned to the Commission; to purchase ice and drinking water for use in buildings and offices; to purchase uniforms for guards and attendants; and to incur such other expenses as may be deemed necessary to the fulfillment of the purposes of this joint resolution.

Allotments.

(d) To allot funds appropriated for the purposes of this resolution to any executive department, independent office, or establishment of the Government with the consent of the head thereof, for direct expenditure in executing the duties or functions delegated by the Commission.

Delegation of powers, etc.

(e) To delegate any of its powers and authority, in its discretion, and any power or authority vested in the Commissioner by this resolution or delegated to him may be delegated or subdelegated by him to the Assistant Commissioner or to any other person or persons in the employ of the Commission or detailed to it.

Cooperation of executive departments, etc.

SEC. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner in the procurement, installation, and display of exhibits, and to lend to the San Francisco Bay Exposition, Incorporated, sponsors of the Golden Gate International Exposition, with the knowledge and consent of said Commissioner, such articles, specimens, and exhibits as said Commissioner shall deem to be in the interest of the United States and in keeping with the purposes of such world's fair and celebration, to be placed with the science or other exhibits to be shown under the auspices of such Golden Gate International Exposition, to appoint without regard to civil-service laws and regulations and the Classification Act of 1923, as amended, such draftsmen and other assistants as may be necessary, to contract for labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or independent offices and establishments to assist said Commissioner. At the close of the world's fair, or when the connection of the Government of the United States therewith ceases, said Commissioner shall cause all such property to be returned to the respective departments and independent offices and establishments concerned, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation authorized herein; and if the return of such property is not feasible, he may, with the consent of the Commission and the departments or independent offices and establishments concerned, make such disposition thereof as he may deem advisable and account therefor.

Loan of exhibits.

Draftsmen, etc.

Return of property at close.

Preparation of reports.

Disposition of property.

Sum authorized.
Post, p. 759.

SEC. 6. The sum of $1,500,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of this joint resolution, and shall remain avail-

able until expended; except that, upon the termination of the Commission, any unexpended or unobligated balances shall be covered back into the Treasury of the United States. And, subject to the provisions of this joint resolution, the Commission is authorized to erect, on land owned by the city and county of San Francisco, such building or buildings, or other structures, for its own use, and such other buildings and structures as will further the trade and good will between the United States and the other nations of the world, and to provide for the landscaping of the site or sites thereof; to rent such space without regard to the provisions of section 322 of the Act of June 30, 1932 (47 Stat. 412), as the Commission may deem adequate to carry out effectively the provisions of this joint resolution; to provide for the decorations of such buildings or structures, and for the proper maintenance of such buildings or structures, sites, and grounds during the period deemed necessary by the Commission: *Provided*, That the facilities of the Public Buildings Branch, Procurement Division, Treasury Department, may be utilized in the preparation of plans, drawings, designs, specifications, and estimates, the execution of contracts, and the supervision of construction in connection with any buildings or structures erected for Federal exhibits and for other purposes: *Provided further*, That funds designated for the foregoing construction purposes may be available for transfer to and expenditure by the Procurement Division, Treasury Department, to the extent and at such times as may be deemed necessary by the Director of Procurement to permit him to carry out such work as the Commission shall deem advisable to be contracted for in that manner. The appropriation authorized by this joint resolution shall be available for the operation of the building or buildings, structure or structures, improvement or improvements, including light, heat, water, gas, maid, janitor, and other required services; for the rental of space in the District of Columbia or elsewhere; for the selection, purchase, preparation, assembling, transportation, installation, arrangement, repair, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibits and in the exhibits of the Golden Gate International Exposition; for the purchase of uniforms, for the compensation of said Commissioner, Assistant Commissioner, and other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, for actual traveling expenses, including travel by air, water, and automobile, and for per diem in lieu of actual subsistence at not to exceed $5 per day: *Provided further*, That no Government official or employee detailed for duty with the Commission shall receive a salary in excess of the rate which he has been receiving in the department or branch where regularly employed, plus such reasonable allowance to officers and enlisted men of the armed forces for additional uniforms and equipment required by participation in the Golden Gate International Exposition, including alterations, laundering, cleaning, and pressing thereof, as deemed proper by the Commissioner; for telephone service, purchase or rental of furniture and equipment, stationery, and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers, and all other appropriate publications, and ice and electric refrigeration and drinking water for office pur-

Balances covered in.

Building construction, landscaping, etc.

Rental of space.
47 Stat. 412.
40 U. S. C. § 40a.

Decorations, maintenance of buildings, etc.

Provisos.
Preparation of plans, etc.; assistance of Procurement Division.

Transfer of funds permitted.

Authorized funds available for designated expenses.

Salary limitation.

Miscellaneous expenses.

Payments in advance

poses: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner and Assistant Commissioner in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished visitors; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility, as hereinbefore stipulated, may delegate these powers and functions: *Provided further*, That the Commission or its delegated representatives may allot funds appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment, for the purpose of defraying any proper expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner or by such assistants as the Commission may designate, except for such allotments as may be made to the various executive departments, independent offices, and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, and permit any obligations to be incurred in excess of the amount authorized to be appropriated herein: *And provided further*, That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, as amended, shall be paid. Subject to the provisions of this joint resolution, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution.

Supervision of expenditures, etc

Delegation of functions.

Allotment of funds to executive departments, etc.

Approval of vouchers, etc.; exception.

Audits.

Wage rate for construction work.
40 U. S. C. § 276a.

Acceptance of contributions.

SEC. 7. The Commissioner, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the world's fair and celebration or when the connection of the Government of the United States therewith ceases, the Commissioner shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any buildings or structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, buildings, and so forth, shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States: *Provided further*, That the Commission may, if it deems it desirable and in the public interest, transfer, with or without consideration, the title to the Federal Exhibits Building or Buildings erected or constructed to the city and county of San Francisco.

Disposal of material etc., at close.

Provisos.
Auction sales.

Discretionary transfer of buildings to city, etc.

Participation by Indian citizens.

The Commissioner, with the approval of the Commission and in cooperation with the Secretary of the Interior, may make provision for participation in the exposition by the Indian citizens of the United States. For this purpose the Commission may allot funds appropriated under authority of this joint resolution as may be necessary for the erection of buildings, the employment of supervisory and other personnel without regard to the civil-service laws and regulations and to fix their salaries in accordance with the Classification Act of 1923, as amended, and for all other expenses incident thereto, as the Commission shall deem advisable to be contracted for in that manner.

Report to Congress.

SEC. 8. It shall be the duty of the Commission to transmit to Congress, within six months after the close of the world's fair, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

Termination of Commission.

Approved, July 9, 1937.

[CHAPTER 474]

JOINT RESOLUTION

Authorizing Federal participation in the New York World's Fair 1939.

July 9, 1937
[H. J. Res. 379]
[Pub. Res., No. 53]

New York World's Fair 1939.
Preamble.

Whereas there is to be held in the city of New York during the year 1939 a world's fair and celebration commemorating the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the Federal Government in the city of New York; and

Whereas the State and city of New York have provided a site and permanent public improvements adjacent to the site at an estimated cost of $18,000,000 and New York World's Fair 1939 Incorporated proposes to make available for such world's fair through the sale of its debentures to the public or otherwise a sum not less than $25,000,000; and

Whereas such world's fair and celebration are worthy and deserving of the support and encouragement of the United States; and the United States has aided and encouraged such world's fairs and celebrations in the past: Therefore be it

Commission established.
Name, composition, service, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission, to be known as the United States New York World's Fair Commission and to be composed of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, three Members of the House to be appointed by the Speaker of the House of Representatives and three Members of the Senate to be appointed by the President of the Senate; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of a world's fair and celebration in the city of New York during the observance in the year 1939 of the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America and of the establishment of the Federal Government in the city of New York.

United States Commissioner, Assistants, and staff.

SEC. 2. There shall be a United States Commissioner for the New York World's Fair, who shall be appointed by the President, and who shall receive compensation at the rate of $10,000 per annum, and two Assistant Commissioners, not of the same political party for

said New York World's Fair, who shall be appointed by the Commissioner with the advice and approval of the Commission herein designated and shall receive compensation not to exceed $7,500 per annum. The salary and expenses of the Commissioner, the Assistant Commissioners, and such staff as the Commission may require, shall be paid out of the funds authorized to be appropriated by this joint resolution, for such period prior to the opening of the world's fair as the Commission may determine, for the duration of the world's fair, and for not more than six months after the official closing thereof.

Funds for salaries and expenses.

Duties and powers of Commissioner.
Exhibits of executive departments, etc.

SEC. 3. The Commission shall prescribe the duties of the United States Commissioner and shall delegate such powers and functions to him as it shall deem advisable in order that there may be exhibited at the New York World's Fair by the Government of the United States, its executive departments, independent offices, and establishments, such articles and materials and documents and papers as may relate to this period of our history and such as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the nature of our institutions, particularly as regards their adaptation to the needs of the people.

Services, materials, etc.

5 U. S. C. §§ 661–674.

Contract services.

SEC. 4. The Commission is authorized to appoint, without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended, such clerks, stenographers, and other assistants as may be necessary; purchase such materials, contract for such labor and other services as are necessary, including the preparation of exhibits plans: *Provided*, That the Commission may delegate such powers in its discretion. The Commission may exercise such powers as are delegated to him by the Commission as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated), as may be deemed advisable by the Commission, to the Assistant Commissioners or others in the employ of or detailed to the Commission.

Proviso.
Delegation of powers.

Cooperation of executive departments, etc.

Loan of exhibits.

SEC. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner in the procurement, installation, and display of exhibits, and to lend to the New York World's Fair, with the knowledge and consent of said Commissioner, such articles, specimens, and exhibits as said Commissioner shall deem to be in the interest of the United States and in keeping with the purposes of such world's fair and celebration, to be placed with the science or other exhibits to be shown under the auspices of such New York World's Fair; to appoint without regard to civil-service laws and regulations and the Classification Act of 1923, as amended, such draftsmen and other assistants as may be necessary; to contract for such labor or other services as shall be deemed necessary; and to designate officials or employees of their departments or branches to assist said Commissioner. At the close of the world's fair, or when the connection of the Government of the United States therewith ceases, said Commissioner shall cause all such property to be returned to the respective departments and branches concerned, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation authorized therein; and if the return of such property is not feasible, he may, with the consent of the Commission and

Draftsmen, etc.

Return of property after close.

Preparation of reports.

Disposition of property.

the department or branch concerned, make such disposition thereof as he may deem advisable and account therefor.

Appropriation authorized. *Post*, p. 759.

SEC. 6. The sum of $3,000,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of this joint resolution, and shall remain available until expended; except that, upon the termination of the Commission, any unexpended or unobligated balance shall be covered back into the Treasury of the United States. And, subject to the provisions of this joint resolution, the Commission is authorized to erect such building or buildings, or other structures, for its own use, and such other buildings and structures as will further the trade and good will between the United States and the other nations of the world, and to provide for the landscaping of the site or sites thereof; to rent such space without regard to the provisions of section 322 of the Act of June 30, 1932 (47 Stat. 412), as the Commission may deem adequate to carry out effectively the provisions of this joint resolution; to provide for the decoration of such buildings or structures, and for the proper maintenance of such buildings or structures, site, and grounds during the period deemed necessary by the Commission. The appropriation authorized by this joint resolution shall be available for the operation of the building or buildings, structure or structures, improvement or improvements, including light, heat, water, gas, janitor, and other required services; for the rental of space in the District of Columbia or elsewhere; for the selection, purchase, preparation, assembling, transportation, installation, arranging, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibit and in the exhibits of the New York World's Fair; for the purchase of uniforms, for the compensation of said Commissioner, Assistant Commissioners, and other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, for actual traveling expenses, including travel by air, and for per diem in lieu of actual subsistence at not to exceed $5 per day: *Provided*, That no Government official or employee detailed for duty with the Commission shall receive a salary in excess of the rate which he has been receiving in the department or branch where regularly employed; for telephone service, purchase or rental of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, maps, reports, documents, plans, specifications, manuscripts, newspapers, and all other appropriate publications, and ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner and Assistant Commissioners in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished guests; and for all other expenses as may be deemed necessary by the Commission to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility, as hereinbefore stipulated,

Building construction, landscaping, etc.

Rental of space. 47 Stat. 412. 40 U. S. C § 40a.

Decoration, maintenance of buildings, etc.

Authorized funds available for designated expenses

Provisos. Salary limitation.

Miscellaneous expenses.

Advance payments.

Printing and binding.

Supervision of purchases, etc.

Delegation of powers.

Allotment of funds to executive departments, etc.

may delegate these powers and functions: *Provided further*, That the Commission or its delegated representatives may allot funds appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment under such regulations as the Commission may promulgate, for the purpose of defraying any proper expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner or by such assistants as the Commission may designate except for such allotments as may be made to the various executive departments, independent offices, and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, and permit any obligations to be incurred in excess of the amount authorized to be appropriated herein: *And provided further*, That in the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, shall be paid. Subject to the provisions of this joint resolution, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution.

Approval of vouchers, etc.; exception.

Audit, etc., requirements.

Wage rate for construction work.
40 U. S. C. § 276a.

Acceptance of contributions.

SEC. 7. The Commissioner, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the world's fair and celebration or when the connection of the Government of the United States therewith ceases the Commissioner shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any buildings or structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, buildings, and so forth, shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States: *Provided further*, That the Commission may, if it deems it desirable and in the public interest, transfer without consideration and [1] title to the Federal Exhibits Building erected or constructed to the city of New York.

Disposal of material, etc., at close.

Provisos.
Auction sales.

Federal Exhibits Building, transfer to city of New York.

Report to Congress.

SEC. 8. It shall be the duty of the Commission to transmit to Congress, within six months after the close of the world's fair, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

Termination of Commission.

Approved, July 9, 1937.

[1] So in original.

[CHAPTER 481]

AN ACT

July 10, 1937
[S. 2254]
[Public, No. 199]

To amend section 460, chapter 44, title II, of the Act entitled "An Act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 460, chapter 44, title II, of the Act entitled "An Act to define and punish crimes in the District of Alaska and to provide a code of criminal procedure for said District", approved March 3, 1899, as amended, is amended by striking out the following paragraphs:

Alaska code of criminal procedure, amendments.
30 Stat. 1336.

"Freight and passenger transportation lines, propelled by mechanical power registered in the Territory of Alaska, or not paying license or tax elsewhere, and river and lake steamers, as well as transportation lines doing business wholly within the Territory of Alaska, one dollar per ton per annum or [1] net tonnage, customhouse measurement, of each vessel.

License tax on shipping, paragraphs repealed.

"SHIPS AND SHIPPING: Ocean and coastwise vessels doing local business for hire plying in Alaskan waters, registered in Alaska or not paying license or tax elsewhere, one dollar per ton per annum on net tonnage, customhouse measurement, of each vessel."

SEC. 2. Nothing in this Act shall abrogate, limit, or curtail the powers granted the Territorial Legislature of Alaska to impose taxes or licenses, nor limit or curtail any powers granted to the Territorial Legislature of Alaska by the Act of Congress approved August 24, 1912, entitled "An Act to create a legislative assembly in the Territory of Alaska, to confer legislative powers thereon, and for other purposes", or by any other Act of Congress.

Powers of Territorial Legislature not curtailed, etc.
37 Stat. 514.

Approved, July 10, 1937.

[CHAPTER 482]

AN ACT

July 10, 1937
[S. 2620]
[Public, No. 200]

To amend the Hawaiian Homes Commission Act, 1920.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 203 (1), 203 (4), 204 (2), 207 (1), 208, 208 (1), 208 (5), 208 (6), 208 (7), 209 (1), 209 (2), 209 (3), 209 (4), 215 (1), 215 (2), 215 (3), 216, and 220 of the Hawaiian Homes Commission Act, 1920, be amended to read as follows:

Hawaiian Homes Commission Act, 1920, amendments.
42 Stat. 109–114.
48 U. S. C. § 691.

"SEC. 203. (1) On the island of Hawaii: Kamaoa-Puueo (eleven thousand acres, more or less), in the district of Kau; Puukapu (twelve thousand acres, more or less), Kawaihae 1 (ten thousand acres, more or less), and Pauahi (seven hundred and fifty acres, more or less), in the district of South Kohala; Kamoku-Kaupalena (five thousand acres, more or less), Waimanu (two hundred acres, more or less), and Nienie (seven thousand three hundred and fifty acres, more or less), in the district of Hamakua; fifty-three thousand acres to be selected by the Commission from the lands of Humuula Mauka, in the district of North Hilo; Panaewa, Waiakea (two thousand acres, more or less), Waiakea-kai, or Keaukaha (two thousand acres, more or less), and two thousand acres of agricultural lands to be selected by the Commission from the lands of Piihonua, in the district of South Hilo; and two thousand acres to be selected by the Commis-

Island of Hawaii, designated parcels added to jurisdiction of Commission. Description.

[1] So in original.

sion from the lands of Kaohe-Makuu, in the district of Puna; land at Keaukaha, Hawaii, more particularly described as follows:

Parcel I.

"Parcel I

"Now set aside as Keaukaha Beach Park by Executive Order Numbered 421, and being a portion of the Government land of Waiakea, South Hilo, Hawaii.

"Beginning at the southeast corner of this parcel of land, on the north side of Kalanianaole Road, the coordinates of said point of beginning referred to Government survey triangulation station 'Halai' being five thousand six hundred and eighty-one and twelve one-hundredths feet north and seventeen thousand nine hundred and thirty-three and fifteen one-hundredths feet east, as shown on Government Survey Registered Map Numbered 2704, and running by true azimuths.

"1. Sixty-one degrees fifty-eight minutes one thousand three hundred and fifty-one and seventy-three one-hundredths feet along the north side of Kalanianaole Road (fifty feet wide);

"2. One hundred and fifty-one degrees fifty-eight minutes eight hundred and forty feet along United States military reservation for river and harbor improvements (Executive Order Numbered 176);

"Thence along the seashore at high-water mark, the direct azimuths and distances between points at seashore being:

"3. Two hundred and eighty-two degrees no minutes four hundred and sixty-eight and fifty one-hundredths feet;

"4. Three hundred and thirteen degrees twenty minutes four hundred and forty-one feet;

"5. Two hundred and sixty degrees twenty minutes one hundred and forty feet;

"6. Two hundred and forty-two degrees twenty minutes two hundred and fifty feet;

"7. One hundred and eighty-eight degrees forty minutes sixty feet;

"8. Two hundred and seventy-two degrees twenty minutes one hundred and seventy feet;

"9. Two hundred and five degrees no minutes sixty feet;

"10. One hundred and ten degrees twenty minutes two hundred and twenty feet;

"11. Ninety degrees fifty minutes eighty feet;

"12. One hundred and sixty-two degrees no minutes one hundred and seventy feet;

"13. Two hundred and fifty degrees thirty minutes four hundred and thirty feet;

"14. Three hundred and thirty-one degrees fifty-eight minutes three hundred and eighty feet along parcel II of Government land to the point of beginning and containing an area of eleven and twenty one-hundredths acres, more or less.

Parcel II.

"Parcel II

"Being a portion of the Government land of Waiakea, South Hilo, Hawaii, and located on the north side of Kalanianaole Road and adjoining parcel I, hereinbefore described.

"Beginning at the south corner of this parcel of land, on the north side of Kalanianaole Road, the coordinates of said point of beginning referred to Government survey triangulation station 'Halai', being five thousand six hundred and eighty-one and twelve one-hundredths feet north and seventeen thousand nine hundred and thirty-three and fifteen one-hundredths feet east and running by true azimuths:

"1. One hundred and fifty-one degrees fifty-six minutes three hundred and eighty feet along the east boundary of parcel I;

"2. Two hundred and twenty-nine degrees forty-five minutes thirty seconds one hundred and ninety-one and one one-hundredth feet;

"3. One hundred and ninety-eight degrees no minutes two hundred and thirty feet to a one-and-one-half-inch pipe set in concrete;

"4. Three hundred and seven degrees thirty-eight minutes five hundred and sixty-two and twenty-one one-hundredths feet to a one-and-one-half-inch pipe set in concrete;

"5. Twenty-eight degrees no minutes one hundred and twenty-one and thirty-seven one-hundredths feet to the north side of Kalanianaole Road;

"6. Sixty-one degrees fifty-eight minutes four hundred and eighty-three and twenty-two one-hundredths feet along the north side of Kalanianaole Road to the point of beginning and containing an area of five and twenty-six one-hundredths acres, more or less.

"SEC. 203. (4) On the island of Oahu: Nanakuli (three thousand acres, more or less), and Lualualei (two thousand acres, more or less), in the District of Waianae; and Waimanalo (four thousand acres, more or less), in the District of Koolaupoko, excepting therefrom the military reservation and the beach lands; and those certain portions of the lands of Auwaiolimu, Kewalo, and Kalawahine described by metes and bounds as follows, to wit:

"(I) Portion of the Government land at Auwaiolimu, Punchbowl Hill, Honolulu, Oahu, described as follows:

Auwaiolimu, Punchbowl Hill, Honolulu, Oahu.

"Beginning at a pipe at the southeast corner of this tract of land, on the boundary between the lands of Kewalo and Auwaiolimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being one thousand one hundred and thirty-five and nine-tenths feet north and two thousand five hundred and fifty-seven and eight-tenths feet east as shown on Government Survey Registered Map Numbered 2692, and running by true azimuths:

"1. One hundred and sixty-three degrees thirty-one minutes two hundred and fifty-seven and eight-tenths feet along the east side of Punchbowl-Makiki Road;

"2. Ninety-four degrees eight minutes one hundred and twenty-four and nine-tenths feet across Tantalus Drive and along the east side of Puuowaina Drive;

"3. One hundred and thirty-one degrees thirteen minutes two hundred and thirty-two and five-tenths feet along a twenty-five-foot roadway;

"4. One hundred and thirty-nine degrees fifty-five minutes twenty and five-tenths feet along same;

"5. One hundred and sixty-eight degrees seventeen minutes two hundred and fifty-seven and eight-tenths feet along Government land (old quarry lot);

"6. One hundred and fifty-six degrees thirty minutes three hundred and thirty-three feet along same to a pipe;

"7. Thence following the old Auwaiolimu stone wall along L. C. award 3145 to Laenui, grant 5147 (lot 8 to C. W. Booth), L. C. award 1375 to Kapule, and L. C. award 1355 to Kekuanoni, the direct azimuth and distance being two hundred and forty-nine degrees forty-one minutes one thousand three hundred and three and five-tenths feet;

"8. Three hundred and twenty-one degrees, twelve minutes, six hundred and ninety-three feet along the remainder of the land of Auwaiolimu;

"9. Fifty-one degrees, twelve minutes, one thousand and four hundred feet along the land of Kewalo to the point of beginning; containing an area of twenty-seven acres; excepting and reserving therefrom Tantalus Drive and Auwaiolimu Street crossing this land;

Kewalo, Punchbowl Hill, Honolulu, Oahu.

"(II) Portion of the land of Kewalo, Punchbowl Hill, Honolulu, Oahu, being part of the lands set aside for the use of the Hawaii Experiment Station of the United States Department of Agriculture by proclamation of the Acting Governor of Hawaii, dated June 10, 1901, and described as follows:

"Beginning at the northeast corner of this lot, at a place called 'Puu Ea' on the boundary between the lands of Kewalo and Auwaiolimu, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being three thousand two hundred and fifty-five and six-tenths feet north and five thousand two hundred and forty-four and seven-tenths feet east, as shown on Government Survey Registered Map Numbered 2692 of the Territory of Hawaii, and running by true azimuths:

"1. Three hundred and fifty-four degrees thirty minutes nine hundred and thirty feet along the remainder of the land of Kewalo, to the middle of the stream which divides the lands of Kewalo and Kalawahine;

"2. Thence down the middle of said stream along the land of Kalawahine, the direct azimuth and distance being forty-nine degrees sixteen minutes one thousand five hundred and twelve and five-tenths feet;

"3. One hundred and forty-one degrees twelve minutes eight hundred and sixty feet along the remainder of the land of Kewalo;

"4. Two hundred and thirty-one degrees twelve minutes five hundred and fifty-two and six-tenths feet along the land of Auwaiolimu to 'Puu Iole';

"5. Thence still along the said land of Auwaiolimu following the top of the ridge to the point of beginning, the direct azimuth and distance being two hundred and thirty-two degrees twenty-six minutes one thousand four hundred and seventy feet and containing an area of thirty acres; excepting and reserving therefrom Tantalus Drive crossing this land;

Parcel northeast of Roosevelt High School.

"(III) Portion of the land of Kalawahine situate mauka or northeast of Roosevelt High School, Honolulu, Oahu.

"Being portion of L. C. award 11215, Apana 2, to Keliiahonui conveyed by W. M. Giffard to the Territory of Hawaii by deed dated February 1, 1907, and recorded in Liber 291, page 1.

"(Being portion of the lands set aside for the Hawaiian Homes Commission by the Seventy-third Congress by Act Numbered 227, approved May 16, 1934.)

48 Stat. 777. 48 U. S. C. §§ 697, 701, 704a.

"Beginning at the south corner of this parcel of land and near the east corner of Roosevelt High School lot, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being twenty-five and two one-hundredths feet south and four thousand one hundred and seventeen and thirty-nine one-hundredths feet east as shown on Government survey registered map numbered 2985 and running by azimuths measured clockwise from true south:

"1. One hundred and twenty-eight degrees fifty-four minutes seven hundred and six and thirteen one-hundredths feet along Roosevelt High School lot, and passing over a pipe at six hundred and eighty-four and thirteen one-hundredths feet;

"2. Thence up along the middle of stream in all its turns and windings along the land of Kewalo-uka to the south corner of Hawaiian Home land (Presidential Executive Order Numbered

5561), the direct azimuth and distance being two hundred and thirteen degrees forty-eight minutes forty seconds one thousand one hundred and twelve and twenty one-hundredths feet;

"3. Thence continuing up along the middle of stream in all its turns and windings along the land of Kewalo-uka (Presidential Executive Order Numbered 5561), to the south side of Tantalus Drive realinement, the direct azimuth and distance being two hundred and twenty-eight degrees twenty-nine minutes ten seconds one thousand three hundred and ninety-one feet;

"4. Thence on a curve to the right with a radius of one hundred and twenty and seventy-eight one-hundredths feet along the southerly side of Tantalus Drive realinement (sixty feet wide), the direct azimuth and distance being three hundred and fifty-eight degrees twenty-one minutes one hundred and ninety-three and eighty one-hundredths feet;

"5. Fifty-one degrees forty-two minutes one hundred and ninety-three and thirty-five one-hundredths feet along the southerly side of Tantalus Drive realinement;

"6. Thence on a curve to the left with a radius of three hundred and thirty feet, along same, the direct azimuth and distance being twenty-five degrees twenty-three minutes ten seconds two hundred and ninety-two and fifty-eight one-hundredths feet;

"7. Twenty-two degrees fifty-three minutes two hundred and ninety-one and ninety-three one-hundredths feet along the southerly side of Tantalus Drive realinement and along the west side of Kalawahine Slope lots;

"8. Thence on a curve to the left with a radius of three hundred and five and sixty one-hundredths feet along the west side of the Kalawahine Slope lots, the direct azimuth and distance being six degrees twenty-one minutes thirty seconds one hundred and seventy-three and eighty-five one-hundredths feet;

"9. Three hundred and forty-nine degrees fifty minutes forty-seven feet along the west side of the Kalawahine Slope lots;

"10. Thence on a curve to the right with a radius of five hundred and twenty feet along same and along Territorial land, the direct azimuth and distance being seventeen degrees thirty-one minutes four hundred and eighty-three and eighteen one-hundredths feet;

"11. Three hundred and fifteen degrees twelve minutes seventy-five feet along Territorial land;

"12. Forty-five degrees twelve minutes six hundred and eleven and two one-hundredths feet along the northwest side of a twenty-foot road reserve;

"13. Thirty-four degrees four minutes thirty seconds three hundred and thirty-six and ninety-six one-hundredths feet along same to the point of beginning and containing an area of thirty-one and sixty one-hundredths acres.

Portion of Hawaiian Experiment Station.

"(IV) Portion of the Hawaiian Experiment Station under the control of the United States Department of Agriculture, situate on the northeast side of Auwaiolimu Street.

"Kewalo-uka, Honolulu, Oahu

"Being a portion of the land of Kewalo-uka conveyed by the Territory of Hawaii to the United States of America by proclamations of the Acting Governor of Hawaii, Henry E. Cooper, dated June 10, 1901, and August 16, 1901, and a portion of the United States Navy hospital reservation described in Presidential Executive Order Numbered 1181, dated March 25, 1910.

"Beginning at the west corner of this parcel of land, on the Auwaiolimu-Kewalo-uka boundary and on the northeast side of Auwaiolimu Street, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being one thousand two hundred and thirty and fifty-eight one-hundredths feet north and two thousand six hundred and seventy-five and six one-hundredths feet east as shown on Government Survey Registered Map Numbered 2985 and running by azimuths measured clockwise from true south:

"1. Two hundred and thirty-one degrees twelve minutes one thousand two hundred and forty-eight and twenty-six one-hundredths feet along the land of Auwaiolimu;

"2. Three hundred and twenty-one degrees twelve minutes eight hundred and sixty feet along Hawaiian Home Land as described in Presidential Executive Order Numbered 5561;

"3. Thence down along the middle of stream in all its turns and windings along the land of Kalawahine to the north corner of Roosevelt High School lot, the direct azimuth and distance being thirty-three degrees forty-eight minutes forty seconds one thousand one hundred and twelve and twenty one-hundredths feet;

"Thence still down along the middle of stream for the next seven courses along the Roosevelt High School premises, the direct azimuth and distances between points in middle of said stream being:

"4. Twenty-three degrees forty minutes twenty-eight and ninety one-hundredths feet;

"5. Eight degrees no minutes one hundred and fifteen feet;

"6. Three hundred and thirty-seven degrees fifty minutes forty-eight feet;

"7. Two degrees thirty minutes sixty feet;

"8. Forty-nine degrees forty minutes fifty-two feet;

"9. Forty-six degrees six minutes ninety and seventy one-hundredths feet;

"10. Ninety-two degrees forty-three minutes ninety-five and sixty one-hundredths feet; thence

"11. Eighty-three degrees thirty-eight minutes seventy-one and sixty-three one-hundredths feet along Territorial land to the northeast side of Auwaiolimu Street;

"12. Thence on a curve to the left with a radius of one thousand one hundred and seventy-six and twenty-eight one-hundredths feet along the northeast side of Auwaiolimu Street along land described in Presidential Executive Order Numbered 1181, dated March 25, 1910, the direct azimuth and distance being one hundred and seventy-two degrees twenty-nine minutes thirty-five seconds one hundred and sixty-four and thirty-nine one-hundredths feet;

"13. Thence continuing on a curve to the left with a radius of one thousand one hundred and seventy-six and twenty-eight one-hundredths feet along the northeast side of Auwaiolimu Street, the direct azimuth and distance being one hundred and sixty degrees fifty minutes forty-eight seconds three hundred and twelve and seventy-five one-hundredths feet;

"14. Two hundred and twenty-four degrees fifty-three minutes six hundred and seventy and sixty-five one-hundredths feet along the Quarry Reservation (Territory of Hawaii, owner);

"15. One hundred and ten degrees six minutes two hundred and thirty-nine and twenty one-hundredths feet along same;

"16. Ninety-two degrees five minutes two hundred and two and twenty one-hundredths feet along same;

"17. Fifty-three degrees twenty minutes three hundred and forty and thirty-four one-hundredths feet along same;

"18. One hundred and forty-two degrees thirty minutes four hundred and twenty-four and sixty-eight one-hundredths feet along the northeast side of Auwaiolimu Street to the point of beginning and containing an area of twenty-seven and ninety one-hundredths acres; excepting and reserving therefrom that certain area included in Tantalus Drive, crossing this land.

"(V) Portion of Kewalo-uka Quarry Reservation. Situate on the northeast side of Auwaiolimu Street. Portion of Kewalo-uka Quarry Reservation.

"Kewalo-uka, Honolulu, Oahu

"Being land reserved by the Territory of Hawaii within the Hawaii Experiment Station under the control of the United States Department of Agriculture, as described in proclamations of the Acting Governor of Hawaii, Henry E. Cooper, dated June 10, 1901.

"Beginning at the northwest corner of this parcel of land and on the northeast side of Auwaiolimu Street, the coordinates of said point of beginning referred to Government survey triangulation station 'Punchbowl', being eight hundred and ninety-three and sixty-six one-hundredths feet north and two thousand nine hundred and thirty-three and fifty-nine one-hundredths feet east as shown on Government Survey Registered Map Numbered 2985 and running by azimuths measured clockwise from true south:

"1. Two hundred and thirty-three degrees twenty minutes three hundred and forty and thirty-four one-hundredths feet along the Hawaii Experiment Station under the control of the United States Department of Agriculture;

"2. Two hundred and seventy-two degrees five minutes two hundred and two and twenty one-hundredths feet along same;

"3. Two hundred and ninety degrees six minutes two hundred and thirty-nine and twenty one-hundredths feet along same;

"4. Forty-four degrees fifty-three minutes six hundred and seventy and sixty-five one-hundredths feet along same to the northeast side of Auwaiolimu Street;

"5. Thence on a curve to the left with a radius of one thousand one hundred and seventy-six and twenty-eight one-hundredths feet along the northeast side of Auwaiolimu Street, the direct azimuth and distance being one hundred and forty-seven degrees fifty-one minutes thirteen seconds two hundred and nineteen and fifty one-hundredths feet;

"6. One hundred and forty-two degrees thirty minutes one hundred and thirty-four and fifty-five one-hundredths feet along the northeast side of Auwaiolimu Street;

"7. Two hundred and thirty-two degrees thirty minutes twenty feet along same;

"8. One hundred and forty-two degrees thirty minutes seventy-one and fifty-seven one-hundredths feet along same to the point of beginning and containing an area of four and six hundred and forty-six one-thousandths acres.

"SEC. 204. (2). Any available land, including land selected by the Commission out of a larger area, as provided by this Act, as may not be immediately needed for the purposes of this Act, may be returned to the Commissioner of Public Lands and may be leased by him as provided in subdivision (d) of section 73 of the Organic Act; any lease of Hawaiian homelands hereafter entered into shall contain a withdrawal clause, and the lands so leased shall be withdrawn by the Commissioner of Public Lands, for the purposes of this Act, upon the Commission giving at its option, not less than one nor Leased lands. Withdrawal clause modified.

Proviso. Minimum period to be stated in lease

more than five years' notice of such withdrawal: *Provided*, That the minimum withdrawal-notice period shall be specifically stated in such lease.

Leases to natives.

"SEC. 207 (1). (a) The Commission is authorized to lease to native Hawaiians the right to the use and occupancy of a tract of Hawaiian homelands within the following acreage limits per each lessee: (1) Not less than one nor more than forty acres of agricultural lands; or (2) not less than one hundred nor more than five hundred acres of first-class pastoral lands; or (3) not less than two hundred and fifty nor more than one thousand acres of second-class pastoral lands: *Provided, however*, That lots of not more than one acre of any class of land may be leased as residence lots. The Commission is also authorized to grant licenses for terms of not to exceed twenty-one years in each case, to public-utility companies or corporations as easements for railroads, telephone lines, electric power and light lines, gas mains, and the like.

Agricultural and pastoral lands, acreage limits.

Proviso. Residence lots. Public utilities, easements.

Conditions imposed.

"SEC. 208 (1). The original lessee shall be a native Hawaiian, not less than twenty-one years of age. In case two lessees either original or in succession marry, they shall choose the lease to be retained, and the remaining lease shall be transferred or canceled in accordance with the provisions of succeeding sections.

Transfer, etc., restrictions.

"SEC. 208 (5). The lessee shall not in any manner transfer to, or mortgage, pledge, or otherwise hold for the benefit of, any other person or group of persons or organizations of any kind, except a native Hawaiian or Hawaiians, and then only upon the approval of the Commission, or agree so to transfer, mortgage, pledge, or otherwise hold, his interest in the tract. Such interest shall not, except in pursuance of such a transfer, mortgage, or pledge to or holding for or agreement with a native Hawaiian or Hawaiians approved of by the Commission, or for any indebtedness due the Commission or for taxes, or for any other indebtedness the payment of which has been assured by the Commission, be subject to attachment, levy, or sale upon court process. The lessee shall not sublet his interest in the tract or improvements thereon.

Not subject to attachment, etc.

Payment of taxes.

"SEC. 208 (6). The lessee shall pay all taxes assessed upon the tract and improvements thereon. The Commission may in its discretion pay such taxes and have a lien therefor as provided by section 216 of this Act.

Other conditions.

"SEC. 208 (7). The lessee shall perform such other conditions, not in conflict with any provision of this title, as the Commission may stipulate in the lease: *Provided, however*, That an original lessee shall be exempt from all taxes for the first five years from date of lease.

Proviso. Tax exemption provisions.

Succession to interests of deceased lessees.

"SEC. 209 (1). Upon the death of the lessee his interest in the tract and the improvements thereon, including growing crops, either on the tract or in any collective contract or program, shall vest and be determined in the following manner. A lessee shall furnish the Commission, in writing, the name or names of such person or persons being a qualified native Hawaiian or Hawaiians, within the limits prescribed in the following sequence of succession, to whom he wishes his interest in the lease to be transferred after his death, this designation to be subject to the approval of the Commission: (1) In the widow or widower; (2) if there is no widow or widower, then in the children; (3) if there are no children, then in the widows or widowers of the children; (4) if there are no such widows or widowers, then in the grandchildren; (5) if there are no grandchildren, then in the brothers and sisters; (6) if there are no brothers or

Sequence of succession.

sisters, then in the widows or widowers of the brothers and sisters; (7) if there are no such widows or widowers of the brothers or sisters, then in the nephews and nieces.

Commission to choose in absence of designation.

"In the absence of such designation the Commission shall choose a qualified native Hawaiian or Hawaiians in accordance with the foregoing sequence, either individually or collectively, except that such successor or successors need not be twenty-one years of age.

Appraisal of improvements, crops, etc.

"Upon the death of a lessee, or the cancelation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall appraise the value of all such improvements and said growing crops and shall pay to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, the value thereof, less any indebtedness due the Commission, or for taxes, or for any other indebtedness the payment of which has been assured by the Commission, from the previous lessee. Such appraisal shall be made by three appraisers, one of which shall be named by the Commission, one by the previous lessee or the legal representative of his estate, and the third shall be selected by the two appraisers hereinbefore mentioned.

Cancelations for violations of conditions; transfer or issuance of new lease.

"SEC. 209 (2). After the cancelation of a lease by the Commission in accordance with the provisions of sections 210 and 216 of this title, or the surrender of a lease by a lessee, the Commission is authorized to transfer the lease or to issue a new lease to any qualified Hawaiian regardless of whether or not he is related in any way by blood or marriage to the previous lessee.

Use of land by successor upon death of lessee.

"SEC. 209 (3). After the death of a lessee, a successor or successors as defined in section 208 of this title shall not during a period of not less than six months nor more than two years, the exact length of such period to be fixed by the Commission, be deemed to have violated any of the conditions enumerated in section 208 of this title, even though he is not a native Hawaiian and does not during this period, on his own behalf, occupy or use or cultivate the tract as a home or farm in accordance with the provisions of this title and the stipulations and provisions contained in the lease.

Appointment of guardian if successor be a minor.

"SEC. 209 (4). Should any successor or successors to a tract be a minor or minors, the Commission may appoint a guardian therefor, subject to the approval of the court of proper jurisdiction. Such guardian shall be authorized to represent the successor or successors in all matters pertaining to the leasehold: *Provided*, That said guardian shall, in so representing such successor or successors, comply with the provisions of this title and the stipulations and provisions contained in the lease, except that said guardian may not be a native Hawaiian as defined in section 201 of this title.

Proviso.
Requirements.

Loan contracts.

"SEC. 215 (1). Each contract of loan with the lessee or any successor or successors to his interest in the tract shall be held subject to the following conditions, whether or not stipulated in the contract of loan: The amount of loans at any one time to any lessee of a tract of agricultural or pastoral land shall not exceed $3,000, and to any lessee of a residence lot shall not exceed $1,000: *Provided*, That where, upon the death of a lessee or the cancelation of a lease by the Commission or the surrender of a lease by the lessee, the Commission shall make the appraisal and payment provided by section 209 (1), the amount of such payment shall be considered as part or all, as the case may be, of any such loan without limitation as to the maximum amounts herein specified in this section.

Proviso.
Appraisal and payment upon death of lessee, etc.

Amortization.

"SEC. 215 (2). The loans shall be repaid upon an amortization plan by means of a fixed number of annual installments sufficient

to cover (a) interest on the unpaid principal at the rate of 3 per centum per annum, and (b) such amount of the principal as will extinguish the debt within an agreed period not exceeding thirty years. The moneys received by the Commission from any installment paid upon such loan shall be covered into the fund. The payment of any installment due shall, with the concurrence therein of at least three of the five members of the Commission, be postponed in whole or in part by the Commission for such reasons as it deems good and sufficient and until such later date as it deems advisable. Such postponed payments shall continue to bear interest at the rate of 3 per centum per annum on the unpaid principal and interest.

Use of receipts.

Postponement permitted.

Provisions in case of borrower's death, etc.

"SEC. 215 (3). In case of the borrower's death the Commission shall permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. In case of the cancelation of a lease by the Commission or the surrender of a lease by a lessee, the Commission may, at its option, declare all annual installments upon the loan immediately due and payable or permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section.

Insurance of property.

"SEC. 216. The Commission may require the borrower to insure, in each amount as the Commission may by regulation prescribe, all livestock and dwellings and other permanent improvements upon his tract, purchased or constructed out of any moneys loaned from the fund; or in lieu thereof the Commission may directly take out such insurance and add the cost thereof to the amount of annual installments payable under the amortization plan. Whenever the Commission has reason to believe that the borrower has violated any condition enumerated in paragraphs (2), (4), (5), or (6) of section 215 of this title, the Commission shall give due notice and afford opportunity for a hearing to the borrower or the successor or successors to his interest in the tract as the case demands. If upon such hearing the Commission finds that the borrower has violated the condition the Commission may declare all annual installments immediately due and payable, notwithstanding any provision in the contract of loan to the contrary. The Commission shall have a first lien upon the borrower's or lessee's interest in his tract, growing crops, either on the tract or in any collective contract or program, dwellings, or other permanent improvements thereon, and his livestock, to the amount of all annual installments due and unpaid and of all taxes upon such tract and improvements paid by the Commission, and of all indebtedness of the lessee, the payment of which has been assured by the Commission. Such lien shall have priority over any other obligation for which the tract, said growing crops, dwellings, other improvements, or livestock may be security.

Hearings on violation of conditions.

Immediate payment if proved.

Lien on property.

Enforcement of lien.

"The Commission may, at such times as it deems advisable, enforce any such lien by declaring the borrower's interest in his tract, or his successor's interest therein, as the case may be, together with the said growing crops, dwellings, and other permanent improvements thereon, and the livestock, to be forfeited, the lease in respect to such tract canceled, and shall thereupon order the tract to be vacated and the livestock surrendered within a reasonable time. The right to the use and occupancy of the Hawaiian home lands contained in such tract shall thereupon revest in the Commission, and the Commission may take possession of the tract and the improvements and growing crops thereon: *Provided*, That the Commission shall pay to the borrower any difference which may be due him after the

Land to revest in Commission.

Proviso.
Payment of difference to borrower.

appraisal provided for in paragraph (1) of section 209 of this title has been made.

Water and other development projects.

SEC. 220. The Commission is hereby authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian home lands, and to undertake other activities having to do with the economic and social welfare of the homesteaders. The Legislature of the Territory is authorized to appropriate out of the Treasury of the Territory such sums as it deems necessary to provide the Commission with funds sufficient to execute such projects, to carry on its administration and maintenance activities, and to accumulate a revolving loan fund of $1,000,000. The Legislature is further authorized to issue bonds to the extent required to yield the amount of any sum so appropriated."

Legislature authorized to appropriate necessary funds.

Bonds authorized.

Approved, July 10, 1937.

[CHAPTER 483]

AN ACT

To enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds.

July 10, 1937
[S. 2621]
[Public, No. 201]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any Act of this Congress to the contrary notwithstanding, may authorize the city and county of Honolulu, a municipal corporation of the Territory of Hawaii, to issue general obligation bonds in the sum of $1,750,000 for the purpose of enabling it to construct main interceptors and trunk lines and to meet its share of expenses for the construction and extension of laterals under improvement district assessments for a sanitary sewer system in the city and county of Honolulu.

Hawaii Legislature may authorize Honolulu to issue sewer bonds.

Amount.

SEC. 2. The bonds issued under authority of this Act may be either term or serial bonds, maturing, in the case of term bonds, not later than thirty years from the date of issue thereof, and, in the case of serial bonds, payable in substantially equal annual installments, the first installment to mature not later than five years and the last installment to mature not later than thirty years from the date of such issue. Such bonds may be issued without the approval of the President of the United States.

Character of bonds, maturity, etc.

Approval of President not required.

SEC. 3. Any legislation enacted by the Legislature of the Territory of Hawaii in its 1937 session pertaining to the issuance of sewer bonds, as authorized by this Act, is hereby ratified and confirmed subject to the provisions of this Act: *Provided, however*, That nothing herein contained shall be deemed to prohibit the amendment of such Territorial legislation by the Legislature of the Territory of Hawaii from time to time to provide for changes in the improvements authorized by such legislation and for the dispostion [1] of unexpended moneys realized from the sale of said bonds.

Confirmation of legislative acts.

Proviso.
Changes allowed; disposition of balances.

Approved, July 10, 1937.

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[1] So in original.

[CHAPTER 484]

AN ACT

July 10, 1937
[S. 2622]
[Public, No. 202]

To authorize the Legislature of the Territory of Hawaii to create a public corporate authority authorized to engage in slum clearance and housing undertakings and to issue bonds of the authority, to authorize said legislature to provide for financial assistance to said authority by the Territory and its political subdivisions, and for other purposes.

Hawaii.
Legislature may create public corporate authority to engage in slum clearance.
Members, powers, etc., of authority.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Legislature of the Territory of Hawaii may create a public corporate authority to engage in slum clearance, or housing undertakings, or both, within such Territory. The Legislature of said Territory may provide for the appointment and terms of the members of such authority and for the powers of such authority, except that such authority shall be given no power of taxation. The legislature may authorize the Territory or any political or municipal corporation or subdivision thereof to make loans, donations, and conveyances and make available their facilities and services to such authority, and to take other action in aid of slum clearance or housing undertakings, and may, without regard to any Federal Acts restricting the disposition of public lands of the Territory, authorize the commissioner of public lands, the Hawaiian Homes Commissioners, and any other officers of the Territory having power to manage and dispose of its public lands, to grant, convey, or lease to such authority parts of the public domain, and may provide that any of the public domain or other property acquired by such authority may be mortgaged by it as security for its bonds. The Legislature of said Territory may authorize such authority to issue bonds or other obligations of such character and maturity and in such manner as the legislature may provide. Such bonds shall not be a debt of the Territory or any political or municipal corporation or subdivision thereof, shall not constitute public indebtedness within the meaning of section 55 of the Act approved April 30, 1900, entitled "An Act to provide a government for the Territory of Hawaii", as amended, and shall not constitute bonds of the Territory of Hawaii within the meaning of the Act approved August 3, 1935, entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes." All legislation heretofore enacted by the Legislature of the Territory of Hawaii dealing with the subject matter of this Act and not inconsistent herewith is hereby ratified and confirmed.

Loans, donations, etc., authorized.

Bonds.

Not to constitute public indebtedness, etc.

31 Stat. 150.
48 U. S. C. § 562.

49 Stat. 516.
48 U. S. C., Supp. II, §§ 562d, e.

Confirmation of Legislature's acts.

Approved, July 10, 1937.

[CHAPTER 485]

AN ACT

July 10, 1937
[S. 2652]
[Public, No. 203]

To enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes.

Hawaii
Bond issue, amount, purposes, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any Act of this Congress to the contrary notwithstanding, is authorized and empowered to issue bonds in the sum of not to exceed $4,029,000 of the character and in the manner provided in that certain act of the legislature of said Territory, enacted at its regular session of 1937, entitled "An act to provide for public improvements."

Character of bonds, maturity, payments, etc.

Such bonds may be either term or serial bonds, maturing, in the case of the term bonds, not later than thirty years from the date of issue thereof, and, in the case of the serial bonds, payable in sub-

stantially equal annual installments, the first installment to mature not later than five years and the last installment to mature not later than thirty years, from the date of such issue. And said act of said legislature is hereby ratified and confirmed, subject to the provisions of this Act: *Provided, however*, That nothing herein contained shall be deemed to prohibit the amendment of said act of said Territory by the legislature thereof from time to time to provide for changes in the improvements authorized by said act or for the disposition of unexpended moneys appropriated by said act, and that said bonds may be issued without the approval of the President of the United States.

Legislative act confirmed.

Proviso.
Changes allowed; disposition of balances.

Approved, July 10, 1937.

[CHAPTER 486]

AN ACT

To amend an Act entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935.

July 10, 1937
[S. 2653]
[Public, No. 204]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 2 of the Act entitled "An Act to enable the Legislature of the Territory of Hawaii to authorize the issuance of certain bonds, and for other purposes", approved August 3, 1935, is hereby amended to read as follows:

Hawaii.
Bond issue for public works.
49 Stat. 517.
48 U. S. C., Supp. II, § 562e.

"SEC. 2. That the Territory of Hawaii, any provision of the Hawaiian Organic Act or of any Act of this Congress to the contrary notwithstanding, is authorized and empowered to issue bonds in the sum of not to exceed $4,803,000 of the character and in the manner provided in that certain act of the legislature of said Territory, enacted at its regular session of 1935, entitled 'An act to provide for public improvements and for the securing of Federal funds for expenditure in connection with funds hereby appropriated for such improvements', as amended by act 23, Session Laws of Hawaii, 1937."

Time limitation modified.

Approved, July 10, 1937.

[CHAPTER 487]

AN ACT

To amend the Canal Zone Code.

July 10, 1937
[H. R. 4597]
[Public, No. 205]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 62 of title 2 of the Canal Zone Code approved June 19, 1934 (48 Stat. 1122), is hereby amended to read as follows:

Canal Zone Code, amendments
48 Stat. 1122.

"62. OFFENSES IN RELATION TO ENTRY OR IMPORTATION OF ARTICLES OR MERCHANDISE.—Any person who shall—

Offenses in relation to entry, etc., of articles or merchandise.

"(a) Enter or import, or attempt to enter or import, any articles or merchandise into the Canal Zone before the entry or importation of such articles or merchandise has been approved by the proper officers of the Canal Zone;

"(b) Pass, or attempt to pass, any false, forged, or fraudulent invoice, bill, or other paper, for the purpose of securing the entry or importation of any articles or merchandise into the Canal Zone in violation of the rules and regulations established under the authority of the next preceding section; or

"(c) Violate any of the rules and regulations established under the authority of the next preceding section;

"Shall be punished by a fine of not more than $100 or by imprisonment in jail for not more than thirty days, or by both."

Penalty.

Roads, highways, and vehicles

SEC. 2. That section 323 of title 2 of the Canal Zone Code, relative to the violation of regulations governing roads, highways, and self-propelled vehicles, is amended to read as follows:

Violation of regulations; punishment.

"323. VIOLATION OF REGULATIONS; PUNISHMENT.—Any person who violates any rule or regulation established under the authority of the two next preceding sections shall be punished by a fine of not more than $100 or by imprisonment in jail for not more than thirty days, or by both."

Marriages.

SEC. 3. That paragraph (a) of section 61 of title 3, Canal Zone Code, is amended to read as follows:

Application for and issuance of license, fee.

"61. APPLICATION FOR AND ISSUANCE OF LICENSE; FEE.—(a) No marriage shall be celebrated in the Canal Zone unless a license to marry has first been secured from the office of the clerk of the district court in either division. In cases where both parties to a proposed marriage are residents of the Republic of Panama and neither is an American citizen, no license shall issue in the Canal Zone unless the parties have previously obtained a license to marry from the proper authorities in the Republic of Panama. No marriage license shall be issued to a leper except upon a certificate of approval by the chief health officer of the Canal Zone. All licenses when issued shall be accompanied by a marriage certificate to be executed by the person celebrating the marriage."

Loan of money.

SEC. 4. That article 3, chapter 39, title 3, Canal Zone Code, relative to loan of money, is amended by adding at the end of said article a new section numbered 1270 and reading as follows:

Interest of judgments.

"1270. INTEREST OF JUDGMENTS.—Judgments shall bear interest at the rate of 6 per centum per annum from the date of entry thereof."

Textual correction.

SEC. 5. That section 1312 of title 3 of the Canal Zone Code is amended by substituting the word "default" for the word "defraud" appearing in the proviso in said section.

Process in divorce actions.

SEC. 6. That paragraph (b) of section 182, title 4, Canal Zone Code, relative to process in proceedings for divorce, is amended to read as follows:

Service of summons by publication.

"(b) Upon application of the plaintiff, accompanied by the affidavit required by subdivision (c), if the summons has not been served as provided in subdivision (a), the court, or the judge thereof, shall enter an order directing service of a summons by publication if it appears to the satisfaction of such court or judge—

"(1) That the defendant cannot be found in the Canal Zone; and

"(2) That a proper cause for divorce is alleged in favor of the plaintiff."

Motor vehicles.

SEC. 7. That article 2, chapter 11, title 5, Canal Zone Code, relative to crimes in relation to motor and other vehicles, is amended by adding at the end of said article a new section numbered 514 and reading as follows:

Reckless driving causing bodily injury.

"514. DRIVING MOTOR VEHICLE RECKLESSLY CAUSING BODILY INJURY.—Any person who shall operate a motor vehicle recklessly, thereby causing great bodily injury to the person of another, shall be punishable by imprisonment in jail for not more than one year or by a fine of not more than $1,000, or by both."

Bail upon being held to answer before information.

SEC. 8. That section 571 of title 6 of the Canal Zone Code, relative to bail upon being held to answer before information, is amended to read as follows:

Admission to.

"571. ADMISSION TO BAIL IN SUCH CASE.—When the defendant has been held to answer upon a preliminary hearing for a public offense, the admission to bail may be by the magistrate by whom he is so held, or by any judge who has power to issue the writ of habeas corpus. The power of the said magistrate to admit to bail in such case shall extend to the time of filing of an information, and the

magistrate shall likewise have power either to increase or reduce the amount of such bail in the manner provided in section 582 of this title.

SEC. 9. That section 43 of title 7 of the Canal Zone Code is amended to read as follows:

"43. PUBLIC DEFENDER.—The Governor of the Panama Canal shall appoint a duly qualified member of the bar of the Canal Zone as a public defender, whose duty it shall be to represent, in the district court, any person charged with the commission of a crime within the original jurisdiction of that court who is unable to employ counsel for his defense. The public defender shall receive such compensation, and such of the privileges of a Canal employee, as shall be fixed and granted by the President or by his authority."

Public defender.

Compensation, etc.

SEC. 10. That section 222 of title 2 of the Canal Zone Code is hereby amended to read as follows:

"222. CARRIAGE BY PANAMA RAILROAD COMPANY OF MARINE AND FIRE INSURANCE.—The Panama Railroad Company shall carry no insurance to cover marine or fire losses: *Provided*, That this section shall not prohibit the company from carrying insurance to cover shipments of its own funds and securities."

Panama Railroad Company.

Carriage of insurance by.

Proviso.
Shipments of own funds, etc.

Approved, July 10, 1937.

[CHAPTER 488]

JOINT RESOLUTION

Authorizing the disposal of certain lands held by the Panama Railroad Company on Manzanillo Island, Republic of Panama.

July 10, 1937
[H. J. Res. 41]
[Pub. Res., No. 54]

Whereas the treaty of November 18, 1903, between the United States and the Republic of Panama vested in the Government of the United States certain reversionary rights and interests in the lands situated on Manzanillo Island, Republic of Panama, which lands are held by the Panama Railroad Company; and

Panama Railroad Company.
Preamble.
33 Stat. 2234.

Whereas certain of the said lands are no longer needed for the purposes of the United States: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Panama Railroad Company be, and is hereby, authorized to sell, and convey in whole or in part, at public or private sale, at not less than the appraised value to be fixed as hereinafter provided, all of its right, title, and interest in and to the lands situated within that portion of Manzanillo Island, Republic of Panama, lying within the area bounded by a line described as follows:

Lands held by, on Manzanillo Island; sale authorized.

Description.

Beginning at the point where the Canal Zone-Republic of Panama (city of Colon) boundary line intersects the western shore line of the arm of Manzanillo Bay known as "Boca Chica" or "Folks River"; thence following the Canal Zone-city of Colon boundary line northerly to Eleventh Street and westerly on Eleventh Street to the center of Front Avenue; thence northerly along the center of Front Avenue and its prolongation to the center of Second Street; thence easterly along the center of Second Street to the center of Melendez Avenue ("G" Street); thence southerly along the center of Melendez Avenue to the center of Seventh Street; thence easterly along the center of Seventh Street to the center of Roosevelt Avenue; thence southerly along the center of Roosevelt Avenue to the center of Ninth Street; thence easterly along the center of Ninth Street to the shore line of Manzanillo Bay; thence southerly along the shore line of Manzanillo Bay to the intersection with the center of Eleventh Street prolonged; thence westerly along the center of Eleventh Street to the center of Melendez Avenue; thence southerly along the center of Melendez

Avenue to the center of Sixteenth Street; thence easterly along the center of Sixteenth Street to the shore line of Folks River; thence southerly, westerly, northwesterly, and southerly along the shore line of Folks River to the point of beginning; excepting, however, lot 22, block 26, as shown on Panama Canal drawing 2021–6, and lot 1189, as shown on Panama Canal drawing 7/019, which lie within the said area.

Board of appraisers, designation of.

SEC. 2. The Secretary of War shall designate a board of three appraisers, who shall appraise the value of each tract or lot within the said area separately, and file the same with the president of the Panama Railroad Company. From time to time, at intervals of not less than one year, the Secretary of War, if deemed advisable by him, may, through a similar board, order a reappraisement of the unsold tracts. Such appraisement and any reappraisement shall be open to public inspection.

Periodic appraisements.

Grant of certain lands to United States to effect exchange with Republic of Panama.

SEC. 3. The Panama Railroad Company is also authorized, with the approval of the President of the United States to convey in whole or in part all its right, title, and interest in and to the said lands, in exchange for a grant by the Republic of Panama to the United States of all the rights, power, and authority within various other areas situated on Manzanillo Island which the United States would possess and exercise if it were the sovereign of the territory included within the said areas, to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority.

Conveyance to release reversionary rights.

SEC. 4. Any conveyance of any lot or tract by the Panama Railroad Company, as aforesaid, shall be deemed to release any and all reversionary rights of the United States in said property.

Deposit of net proceeds from sales.

SEC. 5. The Panama Railroad Company shall, on or before August 16, 1966, deposit the net proceeds from sales of the land in question in the Treasury of the United States to the credit of "Miscellaneous receipts."

Approved, July 10, 1937.

[CHAPTER 494]

AN ACT

July 13, 1937
[H. R. 2901]
[Public, No. 206]

To extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to certain employees in the legislative and judicial branches of the Government.

Civil Service Retirement Act, amendments.
Benefits of, extended to certain employees in the legislative and judicial branches.
46 Stat. 468.
5 U. S. C. §§ 691–738.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of May 29, 1930 (46 Stat. 468), for the retirement of employees in the classified civil service and in certain positions in the legislative branch of the Government, is hereby amended to include all other employees in the legislative branch and all officers and employees of any of the courts of the United States who are not entitled to the benefits of any other retirement Act whose tenure of employment is not intermittent nor of uncertain duration.

Provisions inapplicable unless notice of acceptance given.

SEC. 2. The provisions of such Act of May 29, 1930, shall not be applicable to any employee in the legislative branch who is brought within its scope by section 1 of this Act until such employee gives notice in writing to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, and shall not be applicable to any officer or employee of any court of the United States who is brought within its scope by section 1 of this Act until such officer or employee gives notice in writing to the disbursing officer by whom the salary of such officer or employee is paid that

he or she desires to come under the provisions of such Act of May 29, 1930. Such notice must be given, in the case of any such employee in the service on the effective date of this Act, within six months from such effective date, and in the case of any such employee entering the service after the effective date of this Act, within six months from the date of such entrance: *Provided*, That in the case of any such employee whose salary or any part thereof is paid by the disbursing officer of the Senate such notice may be given at any time, and such employee shall come under the provisions of such Act of May 29, 1930, at the beginning of the sixth month after the giving of such notice.

Time limitation.

Proviso
Employees paid by Senate disbursing officer; acceptance and when effective

No such employee whose salary or any part thereof is paid by the disbursing officer of the Senate shall make any deposit required by section 9, or any redeposit required by subsection (b) of section 12, of such Act of May 29, 1930, and there shall not be deducted and withheld from the basic salary, pay, or compensation of any such employee the sum required to be deducted and withheld by section 10 of such Act of May 29, 1930, unless and until such employee shall have completed fifteen years of service: *Provided*, That before any such employee may derive any of the benefits provided by such Act of May 29, 1930, he shall be required to deposit an amount equal to the following sums: (1) The sum which would have been deducted and withheld from his basic salary, pay, or compensation but for the foregoing provisions of this paragraph, together with interest on such sum computed at the rate of 4 per centum per annum compounded on June 30 of each fiscal year; (2) any sum required to be deposited under the provisions of section 9 of such Act of May 29, 1930; and (3) any sum required to be redeposited under the provisions of subsection (b) of section 12 of such Act of May 29, 1930: *Provided further*, That should any such employee who shall have served for a total period of not less than five years become totally disabled for useful and efficient service, within the meaning of section 6 of such Act of May 29, 1930, before completing fifteen years of service, he shall be entitled to the benefits provided by such section 6, upon deposit of the amount required to be deposited under the preceding proviso.

Deposit, salary deduction, etc, contingent upon service period.

46 Stat. 475, 476

Provisos.
Deposits.

Total disability after 5 years' service.

SEC. 3. The provisions of section 2 of such Act of May 29, 1930, and of section 204 of the Economy Act of June 30, 1932, and any Executive orders pursuant thereto, relating to automatic separation, shall not apply to any officer or employee to whom the provisions of such Act are extended by this Act, nor hereafter to employees of the office of the Architect of the Capitol.

Automatic separation.
Exemption from designated provisions.
46 Stat. 469; 47 Stat. 404.

SEC. 4. The term "employee in the legislative branch" where used in this Act shall also include (a) officers elected by the Senate or House of Representatives who are not members of either body, (b) the legislative counsel of the Senate and the legislative counsel of the House and the employees in their respective offices, (c) the Capitol Police force, (d) the employees of the Joint Committee on Printing and the Joint Committee on Internal Revenue Taxation, and (e) clerks to Members of the Senate, clerks to Members of the House of Representatives, clerks and employees to the several committees of the House and Senate, and all other employees.

"Employee in the legislative branch" construed.

SEC. 5. In computing annuitable service, all employment prior to July 1, 1919, as clerk to a Representative, Delegate, or Resident Commissioner in his representative capacity shall be recognized as employment in the legislative branch if and when such employment can be shown by records or secondary evidence, and in the case of applications heretofore awarded or denied such cases shall be imme-

Computing annuitable service.
Employment as clerk to Representative, etc., prior to July 1, 1919, recognized in.

diately reopened and readjudicated on the above basis from the date of separation, this provision to become effective from the date of the approval of this Act.

Effective date.

SEC. 6. This Act shall take effect on October 1, 1937.

Approved, July 13, 1937.

[CHAPTER 500]

AN ACT

July 16, 1937
[H. R. 7865]
[Public, No. 207]

Making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937.

Extension of Appropriations Act, 1938, provisions continued in force during last half of July 1937.
Ante, p. 468.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the Act entitled "An Act making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations", approved July 1, 1937, are extended and continued in full force and effect for and during the last half of the month of July 1937: *Provided*, That notwithstanding section 3 of such Act, the amount to be expended out of any appropriation provided by this Act for such last half of the month of July 1937 may equal, but shall not exceed, one twenty-fourth of the appropriation available for like purposes for the fiscal year ending June 30, 1937.

Proviso
Proportionate amounts only to be expended.

Approved, July 16, 1937.

[CHAPTER 506]

JOINT RESOLUTION

July 17, 1937
[H. J. Res. 431]
[Pub. Res., No. 55]

Making an appropriation for the control of outbreaks of insect pests.

Insect pest control.
Appropriation for.
Ante, pp. 57, 120.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for carrying out the purposes of and for expenditures authorized under the public resolution entitled "Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs", approved April 6, 1937, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,000,000, to remain available until June 30, 1938: *Provided*, That in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for control of grasshoppers, Mormon crickets, or chinch bugs in any State until such State has provided the organization or materials and supplies necessary for cooperation: *Provided further*, That this appropriation shall be expended under the personal supervision and direction of the Secretary of Agriculture, who shall make a detailed report to the Secretary of the Senate and the Clerk of the House of Representatives of the several items of expenditure made hereunder: *Provided further*, That transportation of control materials purchased under this appropriation shall be under conditions and means determined by the Secretary of Agriculture as most advantageous to the Federal Government: *Provided further*, That procurements under this appropriation may be made by open-market purchases notwithstanding the provisions of section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5).

Availability.
Provisos.
State cooperation.

Supervision of expenditures.

Transporting control materials.

Procurements.

R. S. § 3709.
41 U. S. C. § 5.

Approved, July 17, 1937.

[CHAPTER 511]

AN ACT

Making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes.

July 19, 1937
[H. R. 7493]
[Public, No 208]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes, namely:

War Department Civil Appropriation Act, 1938.

QUARTERMASTER CORPS

Quartermaster Corps

CEMETERIAL EXPENSES

National cemeteries.

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of land; purchase of tools and materials; purchase of one motor-propelled hearse at a cost not to exceed $3,150; and for the repair, maintenance, and operation of motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including the burial site of Pushmataha, a Choctaw Indian Chief; repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; headstones for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873 (U. S. C., title 24, sec. 279), February 3, 1879 (U. S. C., title 24, sec. 280), March 9, 1906 (34 Stat., p. 56), March 14, 1914 (38 Stat., p. 768), and February 26, 1929 (U. S. C., title 24, sec. 280a), and civilians interred in post cemeteries; recovery of bodies and disposition of remains of military personnel and civilian employees of the Army under Act approved March 9, 1928 (U. S. C., title 10, sec. 916); for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island, $1,227,009, of which $295,477 shall be available immediately: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

Maintenance, improvement, etc.

Vehicles.

Arlington, Va.

Plot in Congressional Cemetery, D. C.

Roadways; restriction.

Headstones.
20 Stat. 281; 34 Stat. 56; 38 Stat. 768; 45 Stat. 1307.
24 U. S. C. §§ 279, 280, 280a.

Recovery of bodies, etc.
45 Stat. 251.
10 U. S. C. § 916.

Monuments, etc., in Cuba and China.

Confederate cemeteries, etc.

Sum immediately available.

Provisos.
Encroachments forbidden.

Repairs restricted.

SIGNAL CORPS

Signal Corps.

ALASKA COMMUNICATION SYSTEM

Alaska Communication System.

Operation, improvement, etc.

For operation, maintenance, and improvement of the Alaska Communication System and for purchase, including exchange, of one motor-propelled passenger-carrying vehicle, and for operation and maintenance of vehicles of this character, $166,338, to be derived from the receipts of the Alaska Communication System which have

From receipts.

Proviso.
Report to Congress.

been covered into the Treasury of the United States, and to remain available until the close of the fiscal year 1939: *Provided*, That the Secretary of War shall report to Congress the extent and cost of any extensions and betterments which may be effected under this appropriation.

Insular Affairs Bureau.

BUREAU OF INSULAR AFFAIRS

Philippine Islands.

UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

United States High Commissioner's office.

48 Stat. 456.
48 U. S. C. § 1237 (4).
Salaries and expenses.

For the maintenance of the office of the United States High Commissioner to the Philippine Islands as authorized by subsection 4 of section 7 of the Act approved March 24, 1934 (48 Stat. 456), including salaries and wages; rental, furnishings, equipment, maintenance, renovation, and repair of office quarters and living quarters for the High Commissioner; supplies and equipment; purchase and exchange of law books and books of reference, periodicals, and newspapers; traveling expenses, including for persons appointed hereunder within the United States and their families, actual expenses of travel and transportation of household effects from their homes in the United States to the Philippine Islands, utilizing Government vessels whenever practicable; operation, maintenance, and repair of motor vehicles, and all other necessary expenses, $148,200, of which amount not exceeding $10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert shall not exceed the annual rate of $10,000 and $9,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of $100.

Travel, etc.

Vehicles.

Household, etc., expenses.

Provisos.
Legal adviser and financial expert

Minor purchases.
R. S. § 3709.
41 U. S. C. § 5.

Engineer Corps.

CORPS OF ENGINEERS

Rivers and harbors.

RIVERS AND HARBORS

Availability.

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended:

Maintenance of existing works.

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893 (U. S. C., title 33, sec. 661); for such works, hereby authorized, as may be necessary for the protection of the town of Collinsville, Alabama; for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal), canalized river, or other public works for the use and benefit of navigation belonging to the United States; for payment annually of tuition fees of not to exceed thirty-five student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as

Boundary, etc., waters, survey.

New York harbor.

California Débris Commission.
27 Stat. 507.
33 U. S. C. § 661.
Protection of Collinsville, Ala.

Removing navigation obstructions.

Student officers at institutions.

amended (U. S. C., title 10, sec. 535); for examinations, surveys, and contingencies of rivers and harbors; and for printing, including illustrations, as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase of motor-propelled passenger-carrying vehicles and motorboats, for official use, not to exceed $197,971: *Provided*, That no funds shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, $128,000,000: *Provided further*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board for Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That no appropriation under the Corps of Engineers for the fiscal year 1938 shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business: *Provided further*, That not to exceed $3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the actual expenses of the properly accredited delegates of the United States to the meeting of the congresses and of the commission.

41 Stat. 785; 44 Stat. 705.
10 U. S. C. § 535.
Surveys, etc.
Printing

Provisos.
Unauthorized projects forbidden.

Maintenance of harbor channels, outside of harbor lines.

Power-driven boats, restriction on use.

Permanent International Commission of the Congresses of Navigation.

FLOOD CONTROL

Flood control.

Flood control: For the construction of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936 (49 Stat. 1570–1595), including printing and binding and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this Act, the purchase (not to exceed $47,250) of motor-propelled passenger-carrying vehicles and motorboats for official use, and not to exceed $500,000 for preliminary examinations and surveys of flood-control projects authorized by law, $30,000,000, and, in addition, $30,000,000 of the appropriation of $1,500,000,000 contained in the Emergency Relief Appropriation Act of 1937, shall be available exclusively for carrying out the provisions of such Flood Control Act, approved June 22, 1936, and shall be expended under the direction of the Chief of Engineers under the provisions established in and in pursuance of such Emergency Relief Appropriation Act of 1937 not inconsistent herewith: *Provided*, That the requirement in section 1 of such Emergency Relief Appropriation Act of 1937 that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control projects authorized by such Flood Control Act, approved June 22, 1936: *Provided*, That $500,000 of this appropriation shall be transferred and made available to the Secretary of Agriculture for preliminary examinations and surveys for run-off and waterflow retardation and soil-erosion prevention on the watersheds of flood-control projects authorized by law, including the employment of persons in the District of Columbia and elsewhere,

Public works on rivers and harbors.
49 Stat. 1570.
33 U. S. C., Supp. II, §§ 701a–702k.
Printing and binding.

Vehicles.

Preliminary examinations, etc.

Ante, p 352

Provisos.
Allocation provisions waived.

Soil erosion, etc., watersheds of flood-control projects.

Services in the District.

purchase of books and periodicals, printing and binding, rent in the District of Columbia, the purchase (not to exceed $30,000) of motor-propelled passenger-carrying vehicles and motorboats, and for other necessary expenses.

Projects authorized to be prosecuted. 49 Stat. 1572.

The Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding to the first paragraph of section 5, a proviso reading as follows:

Local contributions.

"*Provided further*, That the Secretary of War is authorized to receive from States and political subdivisions thereof, such funds as may be contributed by them to be expended in connection with funds appropriated by the United States for any authorized flood control work whenever such work and expenditure may be considered by the Secretary of War, on recommendation of the Chief of Engineers, as advantageous in the public interest, and the plans for any reservoir project may, in the discretion of the Secretary of War, on recommendation of the Chief of Engineers, be modified to provide additional storage capacity for domestic water supply or other conservation storage, on condition that the cost of such increased storage capacity is contributed by local agencies and that the local agencies agree to utilize such additional storage capacity in a manner consistent with Federal uses and purposes: *And provided further*, That when contributions made by States and political subdivisions thereof, are in excess of the actual cost of the work contemplated and properly chargeable to such contributions, such excess contributions may, with the approval of the Secretary of War, be returned to the proper representatives of the contributing interests."

Reservoir project plans; modification to increase storage.

Return of excess contributions to States, etc.

Mississippi River and tributaries 45 Stat. 534; 49 Stat. 1508. 33 U. S. C. § 702a; Supp. II, § 702a–1.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act, approved May 15, 1928 (U. S. C., title 33, sec. 702a), as amended by the Flood Control Act approved June 15, 1936 (49 Stat. 1508), and for the purchase of motor-propelled passenger-carrying vehicles and motorboats, for official use, not to exceed $56,300, $22,500,000, and, in addition, $22,500,000 of the appropriation of $1,500,000,000 contained in the Emergency Relief Appropriation Act of 1937 shall be available exclusively for carrying out the provisions of such Flood Control Act, approved May 15, 1928, as amended by such Flood Control Act, approved June 15, 1936, and of such additional amount, $7,500,000 shall be in augmentation of the foregoing appropriation of $22,500,000, and the remainder shall be expended under the direction of the Chief of Engineers subject to the provisions established in and in pursuance of such Emergency Relief Appropriation Act of 1937 not inconsistent herewith: *Provided*, That the requirement in section 1 of such Emergency Relief Appropriation Act of 1937 that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control projects authorized by such Flood Control Act, approved June 22, 1936.

Funds available.

Division of expenditure.

Proviso. Allocation provisions waived. *Ante*, p. 352. 49 Stat. 1570. 33 U. S. C., Supp. II, §§ 701a–f.

Emergency fund for flood control. 49 Stat. 1511 33 U. S. C., Supp. II, § 702g–1.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (49 Stat. 1508), $300,000.

Sacramento River, Calif. 39 Stat. 949; 45 Stat. 539. 33 U. S. C. § 704.

Flood control, Sacramento River, California: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved March 1, 1917 (U. S. C., title 33, sec. 703), as modified by the Flood Control Act approved May 15, 1928 (U. S. C., title 33, sec. 704), including not to exceed $2,600 for the purchase of

motor-propelled passenger-carrying vehicles and motorboats, for official use, $814,500.

Flood control, Lowell Creek, Alaska: For maintenance of flood-control works in accordance with the Act approved February 14, 1933 (47 Stat., p. 802), $1,000.

Lowell Creek, Alaska.
47 Stat. 802.

Flood control, Salmon River, Alaska: For maintenance repairs to dikes in the flood-control works at the town of Hyder, Alaska, as authorized by the Act approved June 18, 1934 (48 Stat., p. 991), $800.

Salmon River, Alaska.
48 Stat. 991.
33 U. S. C. § 705.

UNITED STATES SOLDIERS' HOME

United States Soldiers' Home.

For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home Permanent Fund, $804,456: *Provided*, That notwithstanding any other provisions of law, the administration, control, procurement, expenditure, accounting, audit, and methods thereof, of funds appropriated from the Soldiers' Home Permanent Fund (trust fund) shall be according to the laws governing and in effect prior to July 1, 1935, relating specifically to the United States Soldiers' Home, and in accordance with procedure followed prior to such date.

Maintenance, etc.

Proviso.
Administration, etc., of funds.

THE PANAMA CANAL

The Panama Canal.

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; law books not exceeding $1,000; textbooks and books of reference; printing and binding, including printing of annual report; rent and personal services in the District of Columbia; purchase or exchange of typewriting, adding, and other machines; purchase or exchange, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels passing through the locks of the Panama Canal, as authorized by the Panama Canal Act; claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; traveling expenses, when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

All expenses.

Objects specified.

Printing and binding.

Vehicles.

Damage claims.

Emergencies.

Public funds and securities, transportation and insurance.

For maintenance and operation of the Panama Canal: Salary of the Governor, $10,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches

Maintenance and operation.
Governor's salary.
Supplies, equipment, etc.

Payment to alien cripples
39 Stat. 750
5 U. S. C. § 793.

of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (U. S. C., title 5, sec. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; in all, $8,519,000, together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act.

Sanitation, etc.
Support of insane, lepers, etc.
Deportation expenses.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, and the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, and including additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, $918,000.

Chief quarantine officer.

Civil government expenses.

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, $1,131,760.

Availability.

Total, Panama Canal, $10,568,760, to be available until expended.

Additional sums.

In addition to the foregoing sums there is appropriated for the fiscal year 1938 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, all moneys received by the Panama Canal from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

Net profits.

Water, sewers, pavements, etc., Panama and Colon.

In addition there is appropriated for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, during the fiscal year 1938, the necessary portions of such sums as shall be paid as water rentals or directly by the Government of Panama for such expenses.

Major General George W. Goethals.
Memorial, erection, etc., expenses.

Memorial to Major General George W. Goethals: For necessary expenses incident to the selection of the site, and preparation of plans and estimates of cost, for the erection of a memorial to Major General George W. Goethals within the Canal Zone, authorized by the Act approved August 24, 1935 (49 Stat. 743), including travel expenses of the members of the Goethals Memorial Commission appointed by the President under authority of said Act, and of the employees of said Commission; employment of an architect or architects without regard to the provisions of other laws applicable to the employment or compensation of officers and employees of the United States; stationery and supplies; and all other necessary expenses, $5,000, to be available immediately and also for payment of expenses heretofore incurred in carrying out the purposes of such Act of August 24, 1935.

49 Stat. 743.

Availability.

SEC. 2. Three million dollars of the appropriation "Capital stock, Inland Waterways Corporation", are hereby repealed.

Inland Waterways Corporation, capital stock; repeal of appropriation

SEC. 3. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1937, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Appropriations, etc., available from and including July 1, 1937.

Incurred obligations confirmed

SEC. 4. This Act may be cited as the "War Department Civil Appropriation Act, 1938".

Short title

Approved, July 19, 1937.

[CHAPTER 516]

AN ACT

July 22, 1937
[H. R. 6763]
[Public, No. 209]

To extend for one additional year the 3½-per-centum interest rate on certain Federal land-bank loans, to provide a 4-per-centum interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-per-centum interest rate on Land Bank Commissioner's loans for a period of two years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) effective July 1, 1935, the first sentence of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended (relating to reduction in interest rates on certain Federal land-bank loans), is amended by striking out the following: "occurring within a period of two years commencing July 1, 1935" and inserting in lieu thereof the following: "occurring within a period of three years commencing July 1, 1935, and shall not exceed 4 per centum per annum for all interest payable on installment dates occurring within a period of one year commencing July 1, 1938".

Federal land-bank loans.
Extension of reduced interest rate.
49 Stat. 1912.

(b) The fourth sentence of such paragraph "Twelfth" (relating to the time limit on payments made by the United States to land banks on account of such interest reduction) is amended to read as follows: "No payments shall be made to a bank with respect to any period after June 30, 1939."

Time limit on payments by U. S. to land banks extended.

SEC. 2. Section 32 of the Emergency Farm Mortgage Act, as amended (relating to loans by the Land Bank Commissioner), is amended by adding at the end thereof the following new paragraph:

Loans by Land Bank Commissioner.
48 Stat. 48.

"Notwithstanding the foregoing provisions of this section, the rate of interest on loans made under this section outstanding when this amendatory paragraph takes effect or made on or after such date, shall not exceed 4 per centum per annum for all interest payable on installment dates occurring within a period of two years commencing on the date when this amendatory paragraph takes effect."

Interest rate limitation.

W. B. BANKHEAD
Speaker of the House of Representatives.

KEY PITTMAN
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
July 13, 1937.

The House of Representatives having proceeded to reconsider the bill (H. R. 6763) entitled "An Act to extend for one additional year the 3½-percentum interest rate on certain Federal land-bank loans, to provide a 4-percentum interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-per-centum

Certificate of the House of Representatives.

interest rate on Land Bank Commissioner's loans for a period of two years", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

SOUTH TRIMBLE
Clerk.

I certify that this Act originated in the House of Representatives.

SOUTH TRIMBLE
Clerk.

IN THE SENATE OF THE UNITED STATES,
July 22, 1937.

Certificate of the Senate.

The Senate having proceeded to reconsider the bill (H. R. 6763) "An Act to extend for one additional year the 3½-per-centum interest rate on certain Federal land-bank loans, to provide a 4-per-centum interest rate on such loans for the period July 1, 1938, to June 30, 1939, and to provide for a 4-per-centum interest rate on Land Bank Commissioner's loans for a period of two years", returned by the President of the United States to the House of Representatives, in which it originated, with his objections, and passed by the House on a reconsideration of the same, it was

Resolved, That the said bill, pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

EDWIN A. HALSEY
Secretary.

[CHAPTER 517]

AN ACT

July 22, 1937
[H. R. 7562]
[Public, No 210]

To create the Farmers' Home Corporation, to promote more secure occupancy of farms and farm homes, to correct the economic instability resulting from some present forms of farm tenancy, and for other purposes.

The Bankhead-Jones Farm Tenant Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Bankhead-Jones Farm Tenant Act".

Title I—Farm tenant provisions.

TITLE I—FARM TENANT PROVISIONS

POWER OF SECRETARY

Power of Secretary of Agriculture.

Loans for acquisition of farms, etc.

SECTION 1. (a) The Secretary of Agriculture (hereinafter referred to as the "Secretary") is authorized to make loans in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico to persons eligible to receive the benefits of this title to enable such persons to acquire farms.

(b) Only farm tenants, farm laborers, sharecroppers, and other individuals who obtain, or who recently obtained, the major portion of their income from farming operations shall be eligible to receive the benefits of this title. In making available the benefits of this title, the Secretary shall give preference to persons who are married, or who have dependent families, or, wherever practicable, to persons who are able to make an initial down payment, or who are owners of livestock and farm implements necessary successfully to carry on farming operations. No person shall be eligible who is not a citizen of the United States.

(c) No loan shall be made for the acquisition of any farm unless it is of such size as the Secretary determines to be sufficient to constitute an efficient farm-management unit and to enable a diligent farm family to carry on successful farming of a type which the Secretary deems can be successfully carried on in the locality in which the farm is situated.

COUNTY COMMITTEES AND LOANS

County committees and loans.

SEC. 2. (a) The County Committee established under section 42 shall— *Post*, p. 529.

Powers, etc.

(1) Examine applications (filed with the county agent in the county, or with such other person as the Secretary may designate) of persons desiring to finance the acquisition of farms in the county by means of a loan from the Secretary under this title.

(2) Examine and appraise farms in the county with respect to which an application for a loan is made.

(b) If the committee finds that an applicant is eligible to receive the benefits of this title, that by reason of his character, ability, and experience he is likely successfully to carry out undertakings required of him under a loan which may be made under this title, and that the farm with respect to which the application is made is of such character that there is a reasonable likelihood that the making of a loan with respect thereto will carry out the purposes of this title, it shall so certify to the Secretary. The committee shall also certify to the Secretary the amount which the committee finds is the reasonable value of the farm.

(c) No certification under this section shall be made with respect to any farm in which any member of the committee or any person related to such member within the third degree of consanguinity or affinity has any property interest, direct or indirect, or in which they or either of them have had such interest within one year prior to the date of certification.

(d) No loan shall be made to any person or with respect to any farm unless certification as required under this section has been made with respect to such person and such farm by the committee.

TERMS OF LOANS

Amount and terms of loans.

SEC. 3. (a) Loans made under this title shall be in such amount (not in excess of the amount certified by the County Committee to be the value of the farm) as may be necessary to enable the borrower to acquire the farm and for necessary repairs and improvements thereon, and shall be secured by a first mortgage or deed of trust on the farm.

Provisions to be incorporated.

(b) The instruments under which the loan is made and security given therefor shall—

(1) Provide for the repayment of the loan within an agreed period of not more than forty years from the making of the loan.

(2) Provide for the payment of interest on the unpaid balance of the loan at the rate of 3 per centum per annum.

(3) Provide for the repayment of the unpaid balance of the loan, together with interest thereon, in installments in accordance with amortization schedules prescribed by the Secretary.

(4) Be in such form and contain such covenants as the Secretary shall prescribe to secure the payment of the unpaid balance of the loan, together with interest thereon, to protect the security,

and to assure that the farm will be maintained in repair, and waste and exhaustion of the farm prevented, and that such proper farming practices as the Secretary shall prescribe will be carried out.

(5) Provide that the borrower shall pay taxes and assessments on the farm to the proper taxing authorities, and insure and pay for insurance on farm buildings.

(6) Provide that upon the borrower's assigning, selling, or otherwise transferring the farm, or any interest therein, without the consent of the Secretary, or upon default in the performance of, or upon any failure to comply with, any covenant or condition contained in such instruments, or upon involuntary transfer or sale, the Secretary may declare the amount unpaid immediately due and payable, and that, without the consent of the Secretary, no final payment shall be accepted, or release of the Secretary's interest be made, less than five years after the making of the loan.

Prepayments.

(c) Except as provided in paragraph (6) of subsection (b), no instrument provided for in this section shall prohibit the prepayment of any sum due under it.

Agricultural compositions and extensions; repayment provisions. 47 Stat. 1470; 48 Stat. 925, 1289; 49 Stat. 942. 11 U. S. C. § 203; Supp. II, § 203.

(d) No provision of section 75, as amended, of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898 (U. S. C., 1934 ed., title 11, sec. 203; Supp. II, title 11, sec. 203), otherwise applicable in respect of any indebtedness incurred under this title by any beneficiary thereof, shall be applicable in respect of such indebtedness until such beneficiary has repaid at least 15 per centum thereof.

EQUITABLE DISTRIBUTION OF LOANS

Equitable distribution of loans

SEC. 4. In making loans under this title, the amount which is devoted to such purpose during any fiscal year shall be distributed equitably among the several States and Territories on the basis of farm population and the prevalence of tenancy, as determined by the Secretary.

AVOIDANCE OF PRODUCTION EXPANSION

Avoidance of production expansion. 49 Stat. 1148. 16 U. S. C., Supp. II, § 590g.

SEC. 5. In carrying out this title, the Secretary shall give due consideration to the desirability of avoiding the expansion of production for market of basic commodities where such expansion would defeat the policy of Congress as set forth in section 7 (a) (5) of the Soil Conservation and Domestic Allotment Act, as amended, and shall, so far as practicable, assist beneficiaries of the program under this title to become established upon lands now in cultivation.

APPROPRIATION

Appropriation authorized. *Post*, p. 762.

Amount for administrative expenses.

SEC. 6. To carry out the provisions of this title, there is authorized to be appropriated not to exceed $10,000,000 for the fiscal year ending June 30, 1938, not to exceed $25,000,000 for the fiscal year ending June 30, 1939, and not to exceed $50,000,000 for each fiscal year thereafter. Not more than 5 per centum of the sums appropriated for any fiscal year in pursuance of this section shall be available for administrative expenses in carrying out this title during such fiscal year.

Title II—Rehabilitation loans.

TITLE II—REHABILITATION LOANS

BORROWERS AND TERMS

Borrowers and terms.

SEC. 21. (a) Out of the funds made available under section 23, the Secretary shall have power to make loans to eligible individuals for the purchase of livestock, farm equipment, supplies, and for other

farm needs (including minor improvements and minor repairs to real property), and for the refinancing of indebtedness, and for family subsistence.

(b) Loans made under this section shall bear interest at a rate not in excess of 3 per centum per annum, and shall have maturities not in excess of five years, and may be renewed. Such loans shall be payable in such installments as the Secretary may provide in the loan agreement. All loans made under this title shall be secured by a chattel mortgage, a lien on crops, and an assignment of proceeds from the sale of agricultural products, or by any one or more of the foregoing.

Interest rate.

Security.

(c) Only farm owners, farm tenants, farm laborers, sharecroppers, and other individuals who obtain, or who recently obtained, the major portion of their income from farming operations, and who cannot obtain credit on reasonable terms from any federally incorporated lending institution, shall be eligible for loans under this section.

Persons eligible.

DEBT ADJUSTMENT

SEC. 22. The Secretary shall have power to assist in the voluntary adjustment of indebtedness between farm debtors and their creditors and may cooperate with and pay the whole or part of the expenses of State, Territorial, and local agencies and committees engaged in such debt adjustment. He is also authorized to continue and carry out undertakings with respect to farm debt adjustment uncompleted at the time when appropriations for the purpose of this section are first available. Services furnished by the Secretary under this section shall be without charge to the debtor or creditor.

Debt adjustment.

APPROPRIATION

SEC. 23. (a) For the fiscal year ending June 30, 1938, the balances of funds available to the Secretary for loans and relief to farmers, pursuant to Executive Order Numbered 7530 of December 31, 1936, as amended by Executive Order Numbered 7557 of February 19, 1937, which are unexpended on June 30, 1937, are authorized to be appropriated to carry out the provisions of this title.

Appropriation. Use of balances.

(b) The President is authorized to allot to the Secretary, out of appropriations made for relief or work relief for any fiscal year ending prior to July 1, 1939, such sums as he determines to be necessary to carry out the provisions of this title and to enable the Secretary to carry out such other forms of rehabilitation of individuals eligible under this title to receive loans as may be authorized by law and designated in the Executive order directing the allotment.

Allotments out of relief, etc., appropriations.

TITLE III—RETIREMENT OF SUBMARGINAL LAND

Title III—Retirement of submarginal land.

PROGRAM

SEC. 31. The Secretary is authorized and directed to develop a program of land conservation and land utilization, including the retirement of lands which are submarginal or not primarily suitable for cultivation, in order thereby to correct maladjustments in land use, and thus assist in controlling soil erosion, reforestation, preserving natural resources, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public lands, health, safety, and welfare.

Development of program of conservation, etc.

POWERS UNDER LAND PROGRAM

SEC. 32. To effectuate the program provided for in section 31, the Secretary is authorized—

Powers under land program.

Acquisition of lands not suitable for cultivation, etc.

(a) To acquire by purchase, gift, or devise, or by transfer from any agency of the United States or from any State, Territory, or political subdivision, submarginal land and land not primarily suitable for cultivation, and interests in and options on such land. Such property may be acquired subject to any reservations, outstanding estates, interests, easements, or other encumbrances which the Secretary determines will not interfere with the utilization of such property for the purposes of this title.

Reservations, etc.

Adapting land to most beneficial use.

(b) To protect, improve, develop, and administer any property so acquired and to construct such structures thereon as may be necessary to adapt it to its most beneficial use.

Disposition of acquired property.

(c) To sell, exchange, lease, or otherwise dispose of, with or without a consideration, any property so acquired, under such terms and conditions as he deems will best accomplish the purposes of this title, but any sale, exchange, or grant shall be made only to public authorities and agencies and only on condition that the property is used for public purposes. The Secretary may recommend to the President other Federal, State, or Territorial agencies to administer such property, together with the conditions of use and administration which will best serve the purposes of a land-conservation and land-utilization program, and the President is authorized to transfer such property to such agencies.

Grants for public purposes.

(d) With respect to any land, or any interest therein, acquired by, or transferred to, the Secretary for the purposes of this title, to make dedications or grants, in his discretion, for any public purpose, and to grant licenses and easements upon such terms as he deems reasonable.

Cooperative program of land conservation, etc.

(e) To cooperate with Federal, State, Territorial, and other public agencies in developing plans for a program of land conservation and land utilization, to conduct surveys and investigations relating to conditions and factors affecting, and the methods of accomplishing most effectively, the purposes of this title, and to disseminate information concerning these activities.

Rules and regulations.

(f) To make such rules and regulations as he deems necessary to prevent trespasses and otherwise regulate the use and occupancy of property acquired by, or transferred to, the Secretary for the purposes of this title, in order to conserve and utilize it or advance the purposes of this title.

Penalty for violation.
R. S. § 5388.
18 U. S. C. § 104.

Any violation of such rules and regulations shall be punished as prescribed in section 5388 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 18, sec. 104).

PAYMENTS TO COUNTIES

Payments to counties.

SEC. 33. As soon as practicable after the end of each calendar year, the Secretary shall pay to the county in which any land is held by the Secretary under this title, 25 per centum of the net revenues received by the Secretary from the use of the land during such year. In case the land is situated in more than one county, the amount to be paid shall be divided equitably among the respective counties. Payments to counties under this section shall be made on the condition that they are used for school or road purposes, or both. This section shall not be construed to apply to amounts received from the sale of land.

APPROPRIATION

Appropriation authorized.
Post, p. 762.

SEC. 34. To carry out the provisions of this title, there is authorized to be appropriated not to exceed $10,000,000 for the fiscal year ending June 30, 1938, and not to exceed $20,000,000 for each of the two fiscal years thereafter.

TITLE IV—GENERAL PROVISIONS

Title IV—General provisions.

FARMERS' HOME CORPORATION

Farmers' Home Corporation; creation, principal office, etc.

SEC. 40. (a) There is hereby created as an agency, of and within the Department of Agriculture, a body corporate with the name "Farmers' Home Corporation" (in this Act called the Corporation). The principal office of the Corporation shall be located in the District of Columbia, but there may be established agencies or branch offices elsewhere in the United States under rules and regulations prescribed by the Board of Directors.

Powers and duties.

(b) The Secretary shall have power to delegate to the Corporation such powers and duties conferred upon him under title I or title II, or both, and such powers under title IV as relate to the exercise of the powers and duties so delegated, as he deems may be necessary to the efficient carrying out of the purposes of such titles and may be executed by the Corporation, and to transfer to the Corporation such funds available for such purposes as he deems necessary. In connection with and in the exercise of such powers and duties so delegated, all provisions of this Act relating to the powers and duties of, and limitations upon, the Secretary shall apply to the Corporation in the same manner as to the Secretary, and the term "Secretary" shall be construed to include "Corporation".

Capital stock.

(c) The Corporation shall have a nominal capital stock in an amount determined and subscribed for by the Secretary. Receipts for payments for or on account of such stock shall be issued by the Corporation to the Secretary and shall be evidence of the stock ownership of the United States.

Board of directors.

(d) The management of the Corporation shall be vested in a board of directors (in this Act called the Board) subject to the general supervision of the Secretary. The Board shall consist of three persons employed in the Department of Agriculture who shall be designated by the Secretary. Vacancies in the Board, so long as there are two members in office, shall not impair the powers of the Board to execute its functions and two of the members in office shall constitute a quorum for the transaction of business. The directors, appointed as hereinbefore provided, shall receive no additional compensation for their services as such directors but may be allowed travel and subsistence expenses when engaged in business of the Corporation outside of the District of Columbia.

Administrator, to be executive officer.

(e) The Board may select, subject to the approval of the Secretary, an administrator, who shall be the executive officer of the Corporation, with such power and authority as may be conferred upon him by the Board.

Corporate powers.

(f) The Corporation—

(1) Shall have succession in its corporate name;

(2) May adopt, alter, and use a corporate seal, which shall be judicially noticed;

Provisos.
Supervision of litigation.

(3) May sue and be sued in its corporate name in any court of competent jurisdiction, State or Federal: *Provided*, That the prosecution and defense of all litigation to which the Corporation may be a party shall be conducted under the supervision of the Attorney General, and the Corporation shall be represented by the United States Attorneys for the districts, respectively, in which such litigation may arise, or by such other attorney or attorneys as may, under the law, be designated by the Attorney General: *And provided further*, That no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Corporation or its property;

Corporation to be free from attachment, etc.

Bylaws

(4) May adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised and enjoyed;

Franking privilege.

(5) Shall be entitled to the free use of the United States mails in the same manner as other executive agencies of the Government;

Powers vested in Corporation.

(6) Shall have such powers as may be necessary or appropriate for the exercise of the powers vested in the Corporation (including, but subject to the limitations of this Act, the power to make contracts, and to purchase or lease, and to hold or dispose of, such real and personal property as it deems necessary) and all such incidental powers as are customary in corporations generally. The Board shall define the authority and duties of the officers and employees of the Corporation, delegate to them such of the powers vested in the Corporation as it may determine, and require bonds of such of them as it may designate and fix the penalties and pay the premiums of such bonds.

Injuries to Government employees; benefits of Act extended to.
39 Stat. 742.
5 U. S. C. § 751.

(g) Insofar as applicable, the benefits of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, shall extend to employees of the Corporation.

Depositories.

(h) All money of the Corporation not otherwise employed may be deposited with the Treasurer of the United States or in any bank approved by the Secretary of the Treasury, subject to withdrawal by the Corporation at any time, or with the approval of the Secretary of the Treasury may be invested in obligations of the United States. Subject to the approval of the Secretary of the Treasury, the Federal Reserve banks are hereby authorized and directed to act as depositories, custodians, and fiscal agents for the Corporation in the performance of its powers.

Corporation, etc., to be tax exempt.

(i) The Corporation, including its franchises, its capital, reserves, and surplus and its income and property shall, except as otherwise provided in section 50 (a), be exempt from all taxation now or hereafter imposed by the United States or any State, Territory, District, dependency, or political subdivision.

Accounts.

(j) The Corporation shall at all times maintain complete and accurate books of account and shall file annually with the Secretary a complete report as to the business of the Corporation.

Secretary and Corporation.

ADMINISTRATIVE POWERS OF SECRETARY AND CORPORATION

Administrative powers.

SEC. 41. For the purposes of this Act, the Secretary shall have power to—

Personnel provisions.

(a) Appoint (without regard to the civil-service laws and regulations) and fix the compensation of such officers and employees as may be necessary. No person (except as to positions requiring technical training and experience for which no one possessing the requisite technical training and experience is available within the area) shall be appointed or transferred under this Act to any position in an office in a State or Territory the operations of which are confined to such State or Territory or a portion thereof, or in a regional office outside the District of Columbia the operations of which extend to more than one, or portions of more than one, State or Territory, unless such person has been an actual and bona-fide resident of the State or Territory, or region, as the case may be, in which such office is located, for a period of not less than one year next preceding the appointment or transfer to such position (disregarding periods of residence outside such State or Territory, or region, as the case may be, while in the Federal Government serv-

ice). If the operations of the office are confined to a portion of a single State or Territory, the Secretary in making appointments or transfers to such office shall, except in the classes of cases exempted from the preceding sentence, appoint or transfer only persons who are residents of such portion of the State or Territory: *Provided*, That hereafter, wherever practicable, all appointments of persons to the Federal service for employment within the District of Columbia, under the provisions of this Act, whether such appointments be within the classified civil service or otherwise, shall be apportioned among the several States and the District of Columbia upon the basis of population as ascertained at the last preceding census.

Proviso
Apportionment of appointments.

(b) Accept and utilize voluntary and uncompensated services, and, with the consent of the agency concerned, utilize the officers, employees, equipment, and information of any agency of the Federal Government, or of any State, Territory, or political subdivision.

Acceptance of voluntary services.

(c) Within the limits of appropriations made therefor, make necessary expenditures for personal services and rent at the seat of government and elsewhere; contract stenographic reporting services; purchase and exchange of supplies and equipment, law books, books of reference, directories, periodicals, newspapers, and press clippings; travel and subsistence expenses, including the expense of attendance at meetings and conferences; purchase, operation, and maintenance, at the seat of government and elsewhere, of motor-propelled passenger-carrying and other vehicles; printing and binding; and for such other facilities and services as he may from time to time find necessary for the proper administration of this Act.

Expenditures.

(d) Make contracts for services and purchases of supplies without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5) when the aggregate amount involved is less than $300.

Contracts for services and supplies.
R. S. § 3709.
41 U. S. C. § 5.

(e) Make payments prior to audit and settlement by the General Accounting Office.

Payments before audit, etc.

(f) Acquire land and interests therein without regard to section 355 of the Revised Statutes, as amended. This subsection shall not apply with respect to the acquisition of land or interests in land under title III.

Land acquisition, etc.; exception.
R. S. § 355.
33 U. S. C. § 733; 50 U. S. C. § 175.

(g) Compromise claims and obligations arising under, and adjust and modify the terms of mortgages, leases, contracts, and agreements entered into pursuant to, this Act, as circumstances may require.

Compromise of claims, etc.

(h) Collect all claims and obligations arising under this Act, or under any mortgage, lease, contract, or agreement entered into pursuant to this Act, and, if in his judgment necessary and advisable, to pursue the same to final collection in any court having jurisdiction: *Provided*, That the prosecution and defense of all litigation under this Act shall be conducted under the supervision of the Attorney General, and the legal representation shall be by the United States Attorneys for the districts, respectively, in which such litigation may arise, or by such other attorney or attorneys as may, under the law, be designated by the Attorney General.

Collections.

Proviso.
Supervision of litigation.

(i) Make such rules and regulations as he deems necessary to carry out this Act.

Rules, etc.

COUNTY COMMITTEE

SEC. 42. (a) The Secretary is authorized and directed to appoint in each county in which activities are carried on under title I a county committee composed of three farmers residing in the county.

County committees.
Ante, p. 522.

(b) Each member of the committee shall be allowed compensation at the rate of $3 per day while engaged in the performance of duties under this Act but such compensation shall not be allowed with

Compensation.

respect to more than five days in a month. In addition, they shall be allowed such amounts as the Secretary may prescribe for necessary traveling and subsistence expenses.

Meetings.

(c) The committee shall meet on the call of the county agent in the county, or on the call of such other person as the Secretary may designate. Two members of the committee shall constitute a quorum. The Secretary shall prescribe rules governing the procedure of the committees, furnish forms and equipment necessary for the performance of their duties, and authorize and provide for the compensation of such clerical assistants as he deems may be required by any committee.

Duties.

(d) Committees established under this Act shall, in addition to the duties specifically imposed under this Act, perform such other duties under this Act as the Secretary may require of them.

Resettlement projects.

RESETTLEMENT PROJECTS

Functions of Secretary continued.

SEC. 43. The Secretary is authorized to continue to perform such of the functions vested in him pursuant to Executive Order Numbered 7530 of December 31, 1936, as amended by Executive Order Numbered 7557 of February 19, 1937, and pursuant to Public Act Numbered 845, approved June 29, 1936 (49 Stat. 2035), as shall be necessary only for the completion and administration of those resettlement projects, rural rehabilitation projects for resettlement purposes, and land development and land utilization projects, for which funds have been allotted by the President, and the balances of funds available to the Secretary for said purposes which are unexpended on June 30, 1937, are authorized to be appropriated to carry out said purposes: *Provided*, That any land held by the United States under the supervision of the Secretary pursuant to said Executive orders may where suitable be utilized for the purposes of title I of this Act, and the Secretary may sell said land and make loans for the necessary improvement thereof to such individuals and upon such terms as shall be in accordance with the provisions of said title.

49 Stat. 2035.
40 U. S. C., Supp. II, §§ 431–434.

Proviso.
Sale of land.

General provisions applicable to sale.

GENERAL PROVISIONS APPLICABLE TO SALE

Reservation by United States.

SEC. 44. The sale or other disposition of any real property acquired by the Secretary pursuant to the provisions of this Act, or any interest therein, shall be subject to the reservation by the Secretary on behalf of the United States of not less than an undivided three-fourths of the interest of the United States in all coal, oil, gas, and other minerals in or under such property.

TRANSFER OF AVAILABLE LANDS

Transfer of available lands.

SEC. 45. The President may at any time in his discretion transfer to the Secretary or the Corporation any right, interest, or title held by the United States, and under the supervision of the Secretary, in any land which the President shall find suitable for the purposes of this Act, and the Secretary or the Corporation, as the case may be, may use and dispose of such land in such manner, and subject to such terms and conditions, as the President determines will best carry out the objectives of this Act.

TRANSACTIONS WITH CORPORATIONS

Transactions with corporations.

SEC. 46. Nothing in this Act shall be construed to authorize the making of any loan, or the sale or other disposition of real property or any interest therein, to any private corporation, for farming purposes.

SURVEYS AND RESEARCH

Surveys and research

SEC. 47. The Secretary is authorized to conduct surveys, investigations, and research relating to the conditions and factors affecting, and the methods of accomplishing most effectively, the purposes of this Act, and may publish and disseminate information pertinent to the various aspects of his activities.

VARIABLE PAYMENTS

Variable payments.

SEC. 48. The Secretary may provide for the payment of any obligation or indebtedness to him under this Act under a system of variable payments under which a surplus above the required payment will be collected in periods of above-normal production or prices and employed to reduce payments below the required payment in periods of subnormal production or prices.

SET-OFF

Set-off.

Restriction.

SEC. 49. No set-off shall be made against any payment to be made by the Secretary to any person under the provisions of this Act, by reason of any indebtedness of such person to the United States, and no debt due to the Secretary under the provisions of this Act shall be set off against any payments owing by the United States, unless the Secretary shall find that such set-off will not adversely affect the objectives of this Act.

TAXATION

Taxation.
Ante, pp. 522,525.

SEC. 50. (a) All property which is being utilized to carry out the purposes of title I or title II of this Act (other than property used solely for administrative purposes) shall, notwithstanding that legal title to such property remains in the Secretary or the Corporation, be subject to taxation by the State, Territory, District, dependency, and political subdivision concerned, in the same manner and to the same extent as other similar property is taxed.

(b) All property to which subsection (a) of this section is inapplicable which is held by the Secretary or the Corporation pursuant to this Act shall be exempt from all taxation now or hereafter imposed by the United States or any State, Territory, District, dependency, or political subdivision, but nothing in this subsection shall be construed as affecting the authority or duty of the Secretary under any other law to make payments in respect of any such property in lieu of taxes.

BID AT FORECLOSURE

Bid at foreclosure.

Powers of Secretary.

SEC. 51. The Secretary is authorized and empowered to bid for and purchase at any foreclosure or other sale, or otherwise to acquire property pledged or mortgaged to secure any loan or other indebtedness owing under this Act; to accept title to any property so purchased or acquired; to operate or lease such property for such period as may be deemed necessary or advisable to protect the investment therein; and to sell or otherwise dispose of such property so purchased or acquired upon such terms and for such considerations as the Secretary shall determine to be reasonable, but subject to the reservation of the rights provided for in section 44.

PENALTIES

Penalties.

SEC. 52. (a) Whoever makes any material representation, knowing it to be false, for the purpose of influencing in any way the action of the Corporation upon any application, advance, discount, purchase, or repurchase agreement, contract of sale, lease, or loan, or any change

respect to more than five days in a month. In addition, they shall be allowed such amounts as the Secretary may prescribe for necessary traveling and subsistence expenses.

Meetings.

(c) The committee shall meet on the call of the county agent in the county, or on the call of such other person as the Secretary may designate. Two members of the committee shall constitute a quorum. The Secretary shall prescribe rules governing the procedure of the committees, furnish forms and equipment necessary for the performance of their duties, and authorize and provide for the compensation of such clerical assistants as he deems may be required by any committee.

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RESETTLEMENT PROJECTS

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Ante, pp. 522,525.

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(b) All property to which subsection (a) of this section is inapplicable which is held by the Secretary or the Corporation pursuant to this Act shall be exempt from all taxation now or hereafter imposed by the United States or any State, Territory, District, dependency, or political subdivision, but nothing in this subsection shall be construed as affecting the authority or duty of the Secretary under any other law to make payments in respect of any such property in lieu of taxes.

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SEC. 51. The Secretary is authorized and empowered to bid for and purchase at any foreclosure or other sale, or otherwise to acquire property pledged or mortgaged to secure any loan or other indebtedness owing under this Act; to accept title to any property so purchased or acquired; to operate or lease such property for such period as may be deemed necessary or advisable to protect the investment therein; and to sell or otherwise dispose of such property so purchased or acquired upon such terms and for such considerations as the Secretary shall determine to be reasonable, but subject to the reservation of the rights provided for in section 44.

PENALTIES

Penalties.

SEC. 52. (a) Whoever makes any material representation, knowing it to be false, for the purpose of influencing in any way the action of the Corporation upon any application, advance, discount, purchase, or repurchase agreement, contract of sale, lease, or loan, or any change

No discrimination because of marital status.

"And no person shall be discriminated against in any case because of his or her marital status in examination, appointment, reappointment, reinstatement, reemployment, promotion, transfer, retransfer, demotion, removal, or retirement. All Acts or parts of Acts inconsistent herewith are hereby repealed."

Approved, July 26, 1937.

[CHAPTER 523]

AN ACT

July 26, 1937
[S. 2295]
[Public, No 213]

To amend the Act approved June 7, 1935 (Public, Numbered 116, Seventy-fourth Congress; 49 Stat. 332), to provide for an additional number of cadets at the United States Military Academy, and for other purposes.

Military Academy cadets.
Selections by Governor of Panama Canal.
49 Stat. 332.
10 U. S. C., Supp. II, § 1091b.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of the Act approved June 7, 1935 (Public, Numbered 116, Seventy-fourth Congress; 49 Stat. 332), to provide for an additional number of cadets at the United States Military Academy, which reads as follows: "one to be selected by the Governor of the Panama Canal Zone, from among the sons of civilians of the Panama Canal Zone and the Panama Railroad, resident on the zone", is amended to read as follows: "one cadet to be selected by the Governor of the Panama Canal from among the sons of civilians residing in the Canal Zone and the sons of civilian personnel of the United States Government and the Panama Railroad Company residing in the Republic of Panama".

Approved, July 26, 1937.

[CHAPTER 524]

AN ACT

July 27, 1937
[S. 1762]
[Public, No. 214]

To add certain lands to the Rogue River National Forest in the State of Oregon.

Rogue River National Forest, Oreg.
Transfer of certain revested Oregon and California Railroad grant lands to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of forest management, watershed protection, and recreational use the north half northwest quarter section 3, the south half northwest quarter section 23, and the west half northeast quarter northeast quarter and the east half northwest quarter northeast quarter section 27, township 37, south, range 3 east, Willamette meridian, of revested Oregon and California land-grant lands are hereby added to and made a part of the Rogue River National Forest in the State of Oregon, subject to all laws and regulations governing national forests: *Provided*, That the Secretaries of the Interior and Agriculture shall jointly appraise and agree on the value of the said Oregon and California land-grant lands and shall certify the same to the Secretary of the Treasury. That the Secretary of the Treasury be, and he is hereby, authorized, upon notice of the appraisal by the Secretaries of the Interior and Agriculture, to transfer an equal amount of money from the national-forest receipts and credit the same to the Oregon and California land-grant funds, subject to all laws and regulations governing the disposal of money received from the Oregon and California land-grant lands.

Proviso.
Appraisal.

Credit of sum transferred.

Approved, July 27, 1937.

[CHAPTER 525]

AN ACT

To authorize the Secretary of War to sell, loan, or give samples of supplies and equipment to prospective manufacturers.

July 27, 1937
[S. 1972]
[Public, No. 215]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized, in his discretion and under rules, regulations, and limitations to be prescribed by him, to sell, loan, or give to contractors and private firms which are or may likely be manufacturers or furnishers of supplies and equipment for the use of the War Department or of the Army, under approved production plans, such drawings, manufacturing and other information, and samples of supplies and equipment to be manufactured or furnished, as he may consider will best promote the interests of national defense.

War Department. Samples of supplies, etc., to prospective manufacturers authorized.

Approved, July 27, 1937.

[CHAPTER 526]

AN ACT

Authorizing The Maine-New Hampshire Interstate Bridge Authority to construct, maintain, and operate a toll bridge across the Piscataqua River at or near Portsmouth, State of New Hampshire.

July 28, 1937
[S. 2662]
[Public, No. 216]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, The Maine-New Hampshire Interstate Bridge Authority (hereinafter referred to as the authority) is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Piscataqua River, from a point at or near Portsmouth, State of New Hampshire, to a point at or near Kittery, State of Maine, suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Piscataqua River. Bridge construction authorized, between Portsmouth, N. H., and Kittery, Maine.

Construction. 34 Stat. 84. 33 U. S. C. §§ 491-498.

SEC. 2. There is hereby conferred upon the authority all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Right to acquire real estate, etc.

Condemnation proceedings.

SEC. 3. The authority is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Toll charges.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed forty-five years from the completion thereof. After a sinking fund sufficient for such amortization and for the maintenance of said bridge and the approaches thereto

Tolls to be applied to operation, sinking fund, etc.

Maintenance as free bridge after amortizing costs, etc.

shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Record of expenditures and receipts.

Amendment.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 28, 1937.

[CHAPTER 527]

July 28, 1937
[S. 1806]
[Public, No. 217]

AN ACT

To extend the boundaries of the Papago Indian Reservation in Arizona.

Papago Indian Reservation, Ariz.
Area enlarged.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever all privately owned lands except mining claims within the following-described area have been purchased and acquired as hereinafter authorized, the boundary of the Papago Indian Reservation in Arizona shall be extended to include the west half of section 4; west half of section 9, township 17 south, range 8 east; all of township 18 south, range 2 west, all of fractional township 19 south, range 2 west; and all of fractional townships 18 and 19 south, range 3 west, except sections 6, 7, 18, 19, 30, and 31 in township 18 south, range 3 west, Gila and Salt River meridian. This extension shall not affect any valid rights initiated prior to the approval hereof nor the reservation of a strip of land sixty feet wide along the United States-Mexico boundary made by proclamation of the President dated May 27, 1907 (35 Stat. 2136). The lands herein described when added to the Papago Indian Reservation as provided in this Act shall become a part of said reservation in all respects and upon all the same terms as if said lands had been included in the Executive order issued by the President on February 1, 1917: *Provided*, That lands acquired hereunder shall remain tribal lands and shall not be subject to allotment to individual Indians.

Lands added.

Prior rights not affected.

Mexican boundary strip.

35 Stat. 2136.

Proviso.
Acquisitions to remain tribal lands, etc.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to purchase for the use and benefit of the Papago Indians with any available funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the Act of June 18, 1934 (48 Stat. 984), all privately owned lands, water rights, and reservoir site reserves within townships 18 and 19 south, ranges 2 and 3 west, together with all grazing privileges and including improvements upon public lands appurtenant to the so-called Menager Dam property, at the appraised value of $40,016.37.

Purchase of lands for use of Indians.

48 Stat. 985.

Menager Dam property.

SEC. 3. The State of Arizona may relinquish in favor of the Papago Indians such tracts within the townships referred to in section 1 of this Act as it may see fit and shall have the right to select other unreserved and nonmineral public lands within the State of Arizona equal in area to those relinquished, said lieu selections to be made in the same manner as is provided for in the Enabling Act of June 20, 1910 (36 Stat. 558), or in the discretion of the State of Arizona under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended and supplemented by the Act of June 26, 1936 (49 Stat. 842). The payment of fees or commissions is hereby waived in all lieu selections made pursuant to this section.

Tracts relinquished by State; lieu selections.

36 Stat. 557.
48 Stat. 1272; 49 Stat. 1976.
43 U. S. C. § 315g; Supp. II, § 315g.

Approved, July 28, 1937.

[CHAPTER 528]

AN ACT

To authorize the assignment of officers of the line of the Marine Corps to assistant quartermaster and assistant paymaster duty only, and for other purposes.

July 28, 1937
[S 2521]
[Public, No. 218]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers of the line of the Marine Corps of the grades of major, lieutenant colonel, and colonel may, upon application, and with the approval of the Secretary of the Navy, be assigned to assistant quartermaster and assistant paymaster duty only: *Provided*, That when so assigned they shall retain the lineal position and precedence which they now hold or may later attain and shall be promoted, retired, and discharged in like manner and with the same relative conditions in all respects as are now or may hereafter be provided for other officers of the line of the Marine Corps, except as herein otherwise provided: *Provided further*, That the recommendation of selection boards in the cases of officers assigned to such duty shall be based upon their comparative fitness to perform the duties prescribed for them: *Provided further*, That officers of the grades of major and lieutenant colonel assigned to assistant quartermaster and assistant paymaster duty only in accordance with this Act shall, on promotion up to and including the grade of colonel, be carried as additional numbers in grade: *And provided further*, That the number of officers so assigned in accordance with this Act in any one year shall be in accordance with the requirements of the service as determined by the Secretary of the Navy.

Marine Corps
Assignment of line officers to assistant quartermaster and paymaster duty.

Provisos.
Lineal position, etc., retained.

Assignment based on fitness.

Designated promotions to be carried as additional numbers.

Number assigned.

Approved, July 28, 1937.

[CHAPTER 529]

AN ACT

Providing for the sale of the two dormitory properties belonging to the Chickasaw Nation or Tribe of Indians, in the vicinity of the Murray State School of Agriculture at Tishomingo, Oklahoma.

July 28, 1937
[S. 2587]
[Public, No. 219]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall take possession of, and appraise and sell, under such rules and regulations as may be prescribed by him, the two dormitories, together with the lands upon which they are located and the furniture, therein, belonging to the Chickasaw Nation or Tribe of Indians, in the vicinity of the Murray State School of Agriculture at Tishomingo, Oklahoma, which lands were acquired and which dormitories were erected and equipped, under the Acts of Congress of March 2, 1917 (39 Stat. L. 983), and May 25, 1918 (40 Stat. L. 584), and he shall deposit the proceeds in the Treasury of the United States to the credit of the Chickasaw Nation, less expenses incident to the appraisement and sale of such properties, including reasonable compensation to special attorneys for services rendered in connection with such sale acting under the direction of the Governor of the Chickasaw Nation, such compensation to be fixed and paid by the Secretary of the Interior; and immediately after such sale, patents conveying such properties shall be made and delivered in the same manner as now provided by law for the conveyance of other tribal properties: *Provided*, That preference right shall be given the State of Oklahoma to purchase said dormitory properties at a price to be agreed upon between the Secretary of the Interior and the Board of Regents of the Murray State School of Agriculture, in accordance with the Senate Concurrent Resolution passed by the Sixteenth Legislature of the State of Oklahoma.

Chickasaw Indians, Okla.
Sale of certain dormitory properties authorized.

39 Stat. 983; 40 Stat. 584.
Proceeds to credit of Indians.

Attorneys, compensation.

Proviso.
Preference to State to purchase properties.

Approved, July 28, 1937.

[CHAPTER 530]

AN ACT

July 28, 1937
[S. 2661]
[Public, No. 220]

Granting the consent of Congress to a compact entered into by the States of Maine and New Hampshire for the creation of The Maine-New Hampshire Interstate Bridge Authority.

Maine-New Hampshire Interstate Bridge Authority.
Consent granted Maine and New Hampshire for creation of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an interstate compact for the creation of The Maine-New Hampshire Interstate Bridge Authority, executed on the 14th day of April 1937 by the representatives of the States of Maine and New Hampshire, which compact has been deposited in the Department of State of the United States and reads as follows:

Portsmouth-Kittery bridge, etc.

INTERSTATE BRIDGE AUTHORITY FOR THE PORTSMOUTH-KITTERY BRIDGE AND APPROACHES THERETO

COMPACT

BETWEEN THE STATE OF MAINE AND THE STATE OF NEW HAMPSHIRE

Compact relative to bridge construction across Piscataqua River.

Whereas, the single highway bridge serving as the sole facility for vehicular traffic over and across the Piscataqua river between the state of New Hampshire and the state of Maine is wholly inadequate to care for and accommodate such traffic over said river between the said two states and therefore causes such traffic congestion in and upon the streets and highways of the city of Portsmouth, New Hampshire, and the town of Kittery, Maine, that the lives and property of the citizens of said communities and the travelers on said streets and highways are constantly endangered; and

Whereas, the antiquated and obsolete wooden pile bridge serving as the sole facility for railroad traffic over and across the Piscataqua river between the state of New Hampshire and state of Maine is wholly inadequate to care for and accommodate the railroad traffic between the said two states; and

Whereas, the narrow draw-span of said wooden pile railroad bridge the sole facility permitting passage of water traffic up and down said river is wholly inadequate to permit the passage of steamers and vessels of broad beam from the sea inland to serve the large industrial plants now situate on the banks of said river and therefore constitutes an obstacle to further enlargement of these industries and the development of numerous other industrial sites located so that passage through said bridge is absolutely necessary; and

Whereas, the only remedy for the conditions now existing is the construction of a bridge across said river which by coordinating the facilities required by vehicular and railroad traffic will remove the obstacle to water traffic; and

Whereas, the solution to this problem will result in great economy and benefit not only to the states of Maine and New Hampshire but to the nation and will require the cordial cooperation of the states of New Hampshire and Maine in the encouragement of the investment of capital as well as the formulation and execution of the necessary plans and such result can best be accomplished through the joining of the two states of Maine and New Hampshire by and through a common agency.

Now therefore, the said states of New Hampshire and Maine do hereby agree and pledge each to the other as follows:

ARTICLE I

Said states agree to and pledge, each to the other, faithful cooperation in the planning, execution and construction of a suitable vehicu-

lar and railroad bridge with suitable highway approaches thereto and draw-span therein; holding the same in high trust for the benefit of the nation and of the said two states.

ARTICLE II

There is hereby created "The Maine-New Hampshire Interstate Bridge Authority" which shall be a body corporate and politic having the powers and jurisdiction hereinafter enumerated and such other and additional powers as shall be conferred upon it by the legislature of either state concurred in by the legislature of the other state or by act or acts of Congress as hereinafter provided.

ARTICLE III

The Authority shall consist of six members, three residents of the state of New Hampshire and three residents of the state of Maine. The New Hampshire members to be chosen by the state of New Hampshire and the Maine members to be chosen by the state of Maine in the manner and for the term fixed and determined from time to time by the legislatures of either state respectively. Any member may be removed or suspended from office as provided by the law of the state from which he shall be appointed.

ARTICLE IV

The members of the Authority shall, for the purpose of doing business, constitute a board and may adopt suitable rules and regulations for its management.

ARTICLE V

The Authority shall constitute a body both corporate and politic with full power and authority (1) to sue and be sued; (2) to have a seal and alter the same at pleasure; (3) to adopt from time to time and amend by-laws covering its procedure, rules and regulations governing use of the bridge and any of the other services made available in connection with said bridge, to publish the same, if such publication is necessary or advisable and to cause records of its proceedings to be kept; (4) to construct, maintain, reconstruct and operate an interstate toll bridge over the Piscataqua river between the city of Portsmouth in New Hampshire and the town of Kittery in Maine and for this purpose; (5) to acquire, hold and dispose of personal property for its purposes; (6) to acquire in the name of the Authority by purchase, condemnation, lease or otherwise, any real property and rights or easements therein, deemed by it necessary or desirable for its purposes, and to use such property; (7) to acquire any such real property by the exercise of the power of condemnation in the manner provided by laws and statutes of the said two states or otherwise; (8) to charge and collect fees, fares and tolls for the use of said bridge and other services made available in connection with the said bridge; (9) to make contracts with the United States, the state of New Hampshire, the state of Maine, public corporations or bodies existing therein, and private corporations and individuals; (10) to accept grants and the cooperation of the United States or any agency thereof in the construction, maintenance, reconstruction, operation and financing of the bridge and its highway approaches and to do any and all things necessary in order to avail itself of such aid and cooperation; (11) to employ such assistants, agents and servants as it shall deem necessary or desirable for its purposes; (12) to exercise any of its powers in the public domain of the United States unless the exercise of such powers is not permitted by the laws of the United

States; (13) to borrow money, make and issue negotiable notes, bonds and other evidences of indebtedness or obligations of the Authority and to secure the payment of such obligations or any part thereof by pledge of any part of the revenue of the bridge and, (14) to do all other lawful things necessary and incidental to the foregoing powers. All property of the Authority and all property held in the name of either state pursuant to the provisions hereof shall be exempt from levy and sale by virtue of any execution and no execution or other judicial process shall issue against the same. No judgment against the Authority shall be lien upon its property held in the name of either state pursuant to the provisions hereof. No property now or hereafter vested in or held by either state, by any county, city, town, village, district, township or other municipality thereof shall be taken by the Authority without the authority and consent of the state, county, town, village, district or township or other municipality in which it is located; nor shall anything impair or invalidate any bond, indebtedness of either state, any county, city, town, village, district or township or other municipality nor impair the provisions of law to regulate the payment into sinking funds of revenue derived from municipal property or dedicate the revenues derived from any municipal property to a specific purpose.

ARTICLE VI

The Authority shall have such additional powers and duties as may hereafter be delegated to and imposed upon it from time to time by the action of the legislature of either state concurred in by the legislature of the other. Unless and until otherwise provided, it shall make a biennial report to the legislatures of both states, setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder. The Authority shall not pledge the credit of either state except by and with the expressed authority of the legislature thereof.

ARTICLE VII

Nothing in this agreement or compact is intended or shall be construed to affect the laws now existing which vest jurisdiction over or control of railroads in the public service commission of the state of New Hampshire, or the public utilities commission of the state of Maine, or the Interstate Commerce Commission of the United States or any agency of either state or the United States.

ARTICLE VIII

The Authority shall elect from its members a chairman, vice chairman, clerk and treasurer and may appoint such officers and employees as it may require for the performance of its duties and shall fix and determine by resolution their qualifications and duties.

ARTICLE IX

Expenses incurred by the Authority in the interim between execution of this agreement or compact and the date money received from grants, bonds or revenues shall be available shall be borne by the said two states in equal shares and shall be raised as each state shall determine.

ARTICLE X

Unless and until otherwise determined by the action of the legislatures of the two states, no action of the Authority shall be binding unless taken at a meeting at which at least two members from each

state are present and unless four votes are cast therefor, two from each state. Each state reserves the right hereafter to provide by law for the exercise of a veto power by the governor thereof over any action of any commissioner appointed therefrom.

ARTICLE XI

Unless and until otherwise determined by the legislatures of the two states, the Bridge Authority shall not incur any obligations for salaries, office or other administrative expenses, within the provisions of Article IX, prior to the making of appropriations adequate to meet the same.

ARTICLE XII

The Bridge Authority is hereby authorized to make suitable rules and regulations not inconsistent with the constitution of the United States or of either state, which shall be binding and effective on all persons and corporations affected thereby.

ARTICLE XIII

The two states shall provide penalties for violations of any order, rule or regulation of the Bridge Authority, and for the manner of enforcing the same.

ARTICLE XIV

Definitions. "Transportation facility" shall include railroads, steam or electric, motor truck or other street or highway vehicles, bridges, highways and every kind of transportation facility now in use or hereafter designed for use for the transportation or carriage of persons or property. "Facility" shall include all works, buildings, structures, stations, appliances and appurtenances necessary and convenient for the proper construction, equipment, maintenance and operation of such facility or facilities or any one or more of them. "Real property" shall include land under water, as well as uplands, and all property either now commonly or legally defined as real property or which may hereafter be so defined. "Personal property" shall include choses in action and all other property now commonly or legally defined as personal property or which may hereafter be so defined. "To lease" shall include to rent or to hire. "Rule or regulation" shall include charges, rates, rentals or tolls fixed or established by the Bridge Authority. Wherever action by the legislature of either state is herein referred to, it shall mean an act of the legislature duly adopted in accordance with the provisions of the constitution of the state. Plural or singular. The singular wherever used herein shall include the plural. Consent, approval or recommendation of municipality, how given. Wherever herein the consent, approval or recommendation of a "municipality" is required, the word "municipality" shall be taken to include any city, town or village district. Such consent, approval or recommendation whenever required in the case of the city of Portsmouth shall be deemed to have been given whenever the city council of the city of Portsmouth or any body hereafter succeeding to its duties shall by majority vote pass a resolution expressing such consent, approval or recommendation; and in the case of the town deemed to have been given whenever at a regular town meeting, or special meeting called for that purpose shall by majority of votes of persons present and voting therefor; and in all other cases whenever the body authorized to grant consent to the use of the streets or highways of such municipality shall by a majority vote pass such a resolution.

In Witness Whereof we have hereunto set our hands and seals under chapter 18 of the Private and Special Laws of 1937 of the State of Maine and chapter 4 of the Laws of the Special Session of 1936 of the State of New Hampshire this 14th day of April, 1937. In the presence of:

Helen D. Ayers	[Seal] PAUL C. THURSTON,
Lucius D. Barrows	[Seal] HOLLIS B. COLE,
Helen D. Ayers	[Seal] WILLIAM H. HINMAN,
	Commissioners for Maine.
Sanford L. Fogg	[Seal] FRANZ U. BURKETT,
	Attorney General of Maine.
Daniel H. Dickinson	[Seal] FREDERIC E. EVERETT,
Daniel H. Dickinson	[Seal] JAMES J. POWERS,
Daniel H. Dickinson	[Seal] FRANK E. BROOKS,
	Commissioners for New Hampshire.
Harry E. Trapp	[Seal] THOMAS P. CHENEY,
	Attorney General of New Hampshire.

Amendment.

SEC. 2. The right to alter, amend, or repeal the provisions of the first section of this Act is hereby expressly reserved.

Approved, July 28, 1937.

[CHAPTER 531]

AN ACT

July 28, 1937
[H. R. 6496]
[Public, No. 221]

Granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Montana.

Missouri River.
Bridge authorized across, at Poplar, Mont.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Montana, the counties of Roosevelt, Richland, and McCone thereof, or any of them, to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Poplar, Montana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction.
34 Stat. 84.
33 U. S. C. §§ 491–498.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 28, 1937.

[CHAPTER 532]

AN ACT

July 28, 1937
[H. R. 6636]
[Public, No. 222]

Granting the consent of Congress to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge across the Wabash River at or near Lockport, Indiana.

Wabash River.
Carroll County, Ind., may bridge, at Lockport.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Lockport, Indiana,

in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. 34 Stat. 84. 33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 28, 1937.

[CHAPTER 533]

AN ACT

July 28, 1937 [H. R. 6920] [Public, No. 223]

Granting the consent of Congress to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Massachusetts, or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge across the Merrimack River at Lowell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Massachusetts, or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge and approaches thereto across the Merrimack River, at a point suitable to the interests of navigation, at or near Lowell, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Merrimack River. Bridge authorized across, at Lowell, Mass.

Construction. 34 Stat. 84. 33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 28, 1937.

[CHAPTER 534]

AN ACT

July 28, 1937 [H. R. 7641] [Public, No. 224]

To authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic to be held at Madison, Wisconsin, September 5 to 10, inclusive, 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the National Encampment of the Grand Army of the Republic to be held at Madison, Wisconsin, from September 5 to 10, inclusive, 1937.

Grand Army Encampment, 1937. Attendance of Marine Band authorized.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such encampment there is authorized to be appropriated the sum of $7,500, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $5 per day each for actual living expenses while on the duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Sum authorized for expenses. *Post*, p. 768.

Proviso. Allowance for members; additional to pay.

Approved, July 28, 1937.

[CHAPTER 536]

AN ACT

July 29, 1937
[H. R. 7017]
[Public, No. 225]

To amend section 4450 of the Revised Statutes of the United States, as amended by the Act of May 27, 1936 (49 Stat. 1380, 1383; U. S. C., 1934 edition, title 46, sec. 239).

Investigation of marine casualties.
R. S. § 4450
49 Stat. 1383
46 U. S. C., Supp. II, § 239.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4450 of the Revised Statutes of the United States, as amended by the Act of May 27, 1936 (49 Stat. 1380, 1383; U. S. C., 1934 edition, title 46, sec. 239), is amended by inserting in the third sentence of paragraph (g) of said section the words "suspended or", after the word "is" and before the word "revoked", so that the said paragraph (g) of said section, when amended, shall read as follows:

Incompetency or misconduct, investigation of.

Notice to accused, hearing, etc.

Determination of guilt by Director.

Suspension or revocation of license.

Appeal to Secretary of Commerce.
Counsel.

Decision, limitations.

"(g) In any investigation of acts of incompetency or misconduct or of any act in violation of the provisions of this title, or of any of the regulations issued thereunder, committed by any licensed officer or any holder of a certificate of service, the person whose conduct is under investigation shall be given reasonable notice of the time, place, and subject of such investigation and an opportunity to be heard in his own defense. The whole record of the testimony received by the board conducting such investigation and the findings and recommendations of such board shall be forwarded to the Director of the Bureau of Marine Inspection and Navigation, and if that officer shall find that such licensed officer or holder of certificate of service is incompetent or has been guilty of misbehavior, negligence, or unskillfulness, or has endangered life, or has willfully violated any of the provisions of this title or any of the regulations issued thereunder, he shall, in a written order reciting said findings, suspend or revoke the license or certificate of service of such officer or holder of such certificate. The person whose license or certificate of service is suspended or revoked may, within thirty days, appeal from the order of the said Director to the Secretary of Commerce. On such appeal the appellant shall be allowed to be represented by counsel. The Secretary of Commerce may alter or modify any finding of the board which conducted the investigation or of the Director of the Bureau of Marine Inspection and Navigation, but the decision of the Secretary of Commerce shall be based solely on the testimony received by the said board and shall recite the findings of fact on which it is based."

Approved, July 29, 1937.

[CHAPTER 537]

AN ACT

July 30, 1937
[S. 2193]
[Public, No. 226]

To authorize the construction of certain auxiliary vessels for the Navy.

Navy.
Construction of specified auxiliary vessels authorized.
Post, p. 767.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of furnishing or replacing auxiliary vessels urgently necessary for the proper maintenance and operation of the Navy, the President of the United States is hereby authorized to undertake the construction of about thirty-six thousand and fifty tons (light displacement tonnage) of such auxiliary vessels as follows at a total cost for all vessels of not more than $50,000,000:

Types.

(a) One seaplane tender of about eight thousand three hundred tons;

(b) One destroyer tender of about nine thousand tons;

(c) One mine sweeper of about six hundred tons;

(d) One submarine tender of about nine thousand tons;
(e) One fleet tug of about one thousand one hundred and fifty tons; and
(f) One oiler of about eight thousand tons.

Ratio of construction in Government yards, etc.

SEC. 2. Not less than 50 per centum of the vessels herein authorized, allocated on an approximate tonnage basis, including such portions thereof as are customarily manufactured in Government plants, shall be constructed or manufactured in Government navy yards, naval stations, naval gun factories, naval ordnance plants, or arsenals of the United States: *Provided*, That the President may, however, should the public interests in his judgment so require, have the vessels built in Government or private yards notwithstanding the allocation otherwise imposed: *Provided further*, That the provisions of section 3 of the Act entitled "An Act to establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limits prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes", approved March 27, 1934 (48 Stat. 505; U. S. C., title 34, sec. 496), as amended, are hereby made applicable to contracts for the construction of the vessels or any portion thereof herein authorized.

Provisos.
Changes allowed in public interests.

Contract provisions.

48 Stat. 505.
34 U. S. C. § 496.

Construction on Pacific coast, differential.

SEC. 3. Any bid for the construction on the Pacific coast of any of the vessels authorized by this Act shall have a differential of 6 per centum in its favor which shall be considered by the Secretary of the Navy in awarding contracts for the construction of said vessels.

Approved, July 30, 1937.

[CHAPTER 538]

AN ACT

To authorize the conveyance by the United States to the State of Wisconsin of a portion of the Twin River Point Lighthouse Reservation, and for other purposes.

July 30, 1937
[H. R. 1961]
[Public, No. 227]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to the conditions hereinafter specified, the Secretary of Commerce is authorized to convey to the State of Wisconsin for State park purposes all the right, title, and interest of the United States in and to that portion of the Twin River Point Lighthouse Reservation, Manitowoc County, Wisconsin, which is not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and bounds in the deed of conveyance the exact portion of such reservation transferred.

Twin River Point Lighthouse Reservation, Wis.
Conveyance of portion to State authorized.

Description.

SEC. 2. Such conveyance shall contain the express condition that if the State of Wisconsin shall at any time cease to use the property as a State park for public recreation, or shall alienate or attempt to alienate such property, title thereto shall revert to the United States.

Reversionary provision.

SEC. 3. The United States reserves the right to resume ownership, possession, and control for Government purposes, of any property conveyed under authority of this Act, at any time and without the consent of the State of Wisconsin.

Rights reserved.

SEC. 4. The Secretary of Commerce is also authorized, in his discretion, to lease to the State of Wisconsin for a period of twenty-five years that portion of the Twin River Point Lighthouse Reservation not conveyed by him under authority of this Act. Such lease shall be subject to revocation at any time by the Secretary of Commerce.

Lease of other section.

Approved, July 30, 1937.

[CHAPTER 539]

AN ACT

July 30, 1937
[H. R. 6358]
[Public, No. 228]

To amend section 107, as amended, of the Judicial Code so as to eliminate the requirement that suitable accommodations for holding court at Columbia, Tennessee, be provided by the local authorities.

Judicial Code, amendment
Accommodations for holding court at Columbia, Tenn.
28 U. S. C. § 188.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso of section 107, as amended, of the Judicial Code (U. S. C., 1934 edition, title 28, sec. 188) is amended by striking out the period at the end of said proviso, and adding the following: "until, subject to the recommendation of the Attorney General of the United States with respect to providing such rooms and accommodations for holding court at Columbia, a public building shall have been erected or other Federal space provided for court purposes in said city."

Approved, July 30, 1937.

[CHAPTER 540]

AN ACT

July 30, 1937
[H. R. 4896]
[Public, No 229]

To authorize a preliminary examination and survey of Cayuga, Buffalo, and Cazenovia Creeks, New York, with a view to the control of their floods.

Cayuga, Buffalo, and Cazenovia Creeks, N. Y.
Survey directed for flood control.
49 Stat. 1570.
33 U. S. C., Supp. II, §§ 701a-702k.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and directed to cause a preliminary examination and survey to be made of Cayuga, Buffalo, and Cazenovia Creeks, New York, with a view to the control of their floods, in accordance with the Flood Control Act approved June 22, 1936, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

Approved, July 30, 1937.

[CHAPTER 541]

AN ACT

July 30, 1937
[H. R. 5040]
[Public, No. 230]

To provide for the establishment of a Coast Guard station at or near Beaver Bay, Minnesota.

Beaver Bay, Minn.
Establishment of Coast Guard station authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Beaver Bay, Minnesota, at such point as the Commandant of the Coast Guard may recommend.

Approved, July 30, 1937.

[CHAPTER 542]

AN ACT

July 30, 1937
[H. R. 5140]
[Public, No. 231]

To provide for the establishment of a Coast Guard station at or near Saint Augustine, Florida.

Saint Augustine, Fla.
Establishment of Coast Guard station authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station at or near Saint Augustine, Florida, at such point as the Commandant of the Coast Guard may recommend.

Approved, July 30, 1937.

[CHAPTER 543]

AN ACT

To provide for the relinquishment of an easement granted to the United States by the Green Bay and Mississippi Canal Company.

July 30, 1937
[H. R. 5552]
[Public, No. 232]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to release to the Green Bay and Mississippi Canal Company, its successors or assigns, the easement heretofore granted by the Green Bay and Mississippi Canal Company to the United States of America for the construction and maintenance of an eight-inch sewer or drain, together with necessary manholes, from a point in the southeasterly side of the post-office site, distant approximately one hundred and twenty-two feet northwardly from the northeasterly bank of the Power Canal, and thence traversing in a southeastwardly direction lots 4 to 14, inclusive, in block 2, a distance of approximately five hundred and fifty feet to the northwesterly side of the open sewer which flows in a northeastwardly direction along the southeasterly side of said lot 14 and to pass drainage and sewage from the site through said eight-inch sewer into said open sewer, in the city of Kaukauna, Outagamie County, Wisconsin.

Green Bay and Mississippi Canal Company.
Release of easement granted by.

Approved, July 30, 1937.

[CHAPTER 544]

AN ACT

To repeal the limitation on the sale price on the old post office and courthouse site and building at Fourth and Chestnut Streets, Louisville, Kentucky.

July 30, 1937
[H. R 6899]
[Public, No. 233]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso (45 Stat. 179), contained in section 1, title I, of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes", approved March 5, 1928, Public Law Numbered 93, Seventieth Congress (45 Stat. 162), requiring that the old post office and courthouse site and building at Fourth and Chestnut Streets, Louisville, Kentucky, shall not be sold for an amount less than $2,500,000, is hereby repealed.

Louisville, Ky., post office, etc.
Limitation on sale price of old building repealed.
45 Stat. 179.

Approved, July 30, 1937.

[CHAPTER 545]

AN ACT

To amend the laws relating to enlistments in the Coast Guard, and for other purposes.

July 30, 1937
[H. R. 6916]
[Public, No. 234]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of May 26, 1906, as amended (34 Stat. 200; U. S. C., 1934 edition, title 14, sec. 35), is hereby further amended to read as follows:

Coast Guard, enlistments.
34 Stat. 200.
14 U. S. C § 35.

"(a) That all persons composing the enlisted force of the Coast Guard shall be enlisted for a term not to exceed three years, in the discretion of the Secretary of the Treasury, who shall prepare regulations governing such enlistments and for the general government of the service: *Provided*, That an enlistment in the Coast Guard shall not be regarded as complete until the enlisted man concerned shall have served any time, in excess of one day, lost on account of unauthorized absence from duty, or injury, sickness, or disease,

Term.
Regulations governing.

Proviso.
Requirements for completing term.

resulting from his own intemperate use of drugs or alcoholic liquors, or other misconduct, or while in confinement under sentence, or while awaiting trial and disposition of his case if the trial results in conviction.

Extension, by voluntary written agreement.

"(b) The term of enlistment of any enlisted man in the Coast Guard may, by his voluntary written agreement, under such regulations as may be prescribed by the Secretary of the Treasury, be extended for a period of one, two or three full years from the date of expiration of the then-existing term of enlistment, and subsequent to said date an enlisted man who extends his term of enlistment as herein authorized shall be entitled to and shall receive the same pay and allowances in all respects as though regularly discharged and reenlisted immediately upon expiration of his term of enlistment. No such extension shall operate to deprive the enlisted man concerned, upon discharge at the termination thereof, of any right, privilege, or benefit to which he would have been entitled if his term of enlistment had not been so extended.

Pay and allowances

Temporary detention beyond term of enlistment.

"(c) The commanding officer of any vessel of the Coast Guard is authorized, in his discretion, to detain an enlisted man beyond the term of his enlistment until the first arrival of the vessel at its permanent station, or at a port in a State of the United States or in the District of Columbia, unless, in his opinion, the detention of such person for a further period is essential to the public interests, in which case he may detain him for a further period, not exceeding thirty days, after arrival at such station or port. Any person so detained shall be subject in all respects to the laws and regulations for the government of the Coast Guard until his discharge therefrom."

Public Health Service, hospitals.

SEC. 2. The Act entitled "An Act extending the benefits of the Marine hospitals to the keepers and crews of life saving stations", approved August 4, 1894, as amended (28 Stat. 229; U. S. C., 1934 edition, title 24, sec. 8), is hereby further amended to read as follows:

28 Stat. 229.
24 U. S. C. § 8.

Admittance of Coast Guard personnel.

"(a) Under such regulations as may be prescribed by the President, upon the recommendation of the Surgeon General with the approval of the Secretary of the Treasury, all commissioned officers, chief warrant officers, warrant officers, cadets, and enlisted men of the Coast Guard, including those on shore duty and those on detached duty, whether on active duty or retired, shall be entitled to medical, surgical, and dental treatment and hospitalization by the Public Health Service; and the dependent members of families of officers and enlisted men of the Coast Guard shall be furnished medical advice and out-patient treatment by the Public Health Service at its first-, second-, and third-class relief stations, and such dependent members of families shall be furnished hospitalization at marine hospitals, if suitable accommodations are available, at a per-diem cost to the officer or enlisted man concerned equivalent to the uniform per-diem reimbursement rate for Government hospitals as approved by the President for each fiscal year. Collections of the Public Health Service for the hospitalization of such dependent members of families shall be credited to the applicable appropriation for the operation of marine hospitals and relief stations.

Dependents, etc

Collections for hospitalization, use of.

Act repealed.

"(b) The Act entitled 'An Act to extend medical and hospital relief to retired officers and retired enlisted men of the United States Coast Guard', approved May 18, 1928 (45 Stat. 603; U. S. C., 1934 edition, title 14, sec. 179), is hereby repealed."

45 Stat. 603.
14 U. S. C. § 179.

Admission to citizenship.
Filipinos in Coast Guard.

SEC. 3. Subdivision "Seventh" of section 4 of the Act entitled "An Act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States", approved June 29, 1906, as amended

(34 Stat. 598; U. S. C., 1934 edition, title 8, sec. 388), is hereby further amended by inserting in line 4 thereof, after the words "Naval Auxiliary Service", the words "or the Coast Guard".

40 Stat. 542.
8 U. S. C. § 388.

SEC. 4. Section 12 of the Act entitled "An Act to provide more effectively for the national defense by increasing the efficiency of the Air Corps of the Army of the United States, and for other purposes", approved July 2, 1926 (44 Stat. 789; U. S. C., 1934 edition, title 10, sec. 1429), is hereby amended by inserting in line 8 thereof, after the words "United States Navy", the words "or with the United States Coast Guard".

Distinguished flying cross.
Provisions of awarding, extended to Coast Guard.
44 Stat. 789.
10 U. S. C. § 1429.

SEC. 5. Section 2 of the Act of June 23, 1906, as amended (34 Stat. 452; U. S. C., 1934 edition, title 14, sec. 15), is hereby further amended by inserting the following sentence at the end thereof: "A cadet, upon admission to the Coast Guard Academy, shall be credited with the sum of $250 to cover the cost of his initial clothing and equipment issued, to be deducted subsequently from his pay in accordance with regulations prescribed by the Secretary of the Treasury."

Coast Guard cadets.
Initial clothing, etc., allowance.
34 Stat. 452.
14 U. S. C. § 15.

SEC. 6. Section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, as amended (28 Stat. 205; U. S. C., 1934 edition, title 5, sec. 62), is hereby further amended by inserting in line 12 thereof, following the word "Navy", the words "or the Coast Guard".

Duplication of offices.
Exception to restrictions on, extended to Coast Guard.
28 Stat. 205.
5 U. S. C. § 62.

Approved, July 30, 1937.

[CHAPTER 546]

AN ACT

July 30, 1937
[H. R. 7401]
[Public, No. 235]

To authorize the Secretary of Commerce to convey to the Commissioners of the Palisades Interstate Park, a body politic of the State of New York, certain portions of the Stony Point Light Station Reservation, Rockland County, New York, including certain appurtenant structures, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to convey to the Commissioners of the Palisades Interstate Park, for use for public-park purposes, certain portions of the Stony Point Light Station Reservation, State of New York, including certain appurtenant structures, which are not required to be retained for lighthouse purposes. The Secretary of Commerce shall describe by metes and bounds in the deed of conveyance the exact portions of the reservation transferred. The deed of conveyance shall also contain a clause that should the property so transferred at any time cease to be used for park purposes or for some other wholly public use, title thereto shall revert to the United States.

Palisades Interstate Park, N. Y.
Conveyance of certain property to.

Reversionary provision.

SEC. 2. In exchange for the property to be transferred the Commissioners of the Palisades Interstate Park shall transfer title to the United States to the dwelling now erected on the portion of land retained by the United States for lighthouse purposes. The United States also reserves the rights-of-way over, underground, or across the area to be transferred for any use whatsoever in conducting the Lighthouse Service or other activities of the Government.

Property transferred in exchange.

Rights-of-way reserved.

Approved, July 30, 1937.

[CHAPTER 547]

AN ACT

July 30, 1937
[H. R. 7611]
[Public, No. 236]

To adjust the pay of certain Coast Guard officers on the retired list who were retired because of physical disability originating in line of duty in time of war.

Coast Guard.
Pay of certain retired officers who held higher temporary rank during time of war.
46 Stat. 793.
10 U. S. C. § 1028a; 34 U. S. C. § 399c

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 1, as amended, of the Act of June 21, 1930 (46 Stat. 793, ch. 563), any officer of the Coast Guard who has been retired since September 3, 1921, but prior to March 4, 1925, by reason of physical disability which originated in line of duty at any time between April 6, 1917, and March 3, 1921, inclusive, while holding higher temporary rank in the Coast Guard, shall receive from the date of the approval of this Act the pay of the rank he holds on the retired list.

Approved, July 30, 1937.

[CHAPTER 548]

JOINT RESOLUTION

July 30, 1937
[H. J. Res. 365]
[Pub Res., No. 56]

Authorizing Federal participation in the Seventh World's Poultry Congress and Exposition to be held in the United States in 1939.

Seventh World's Poultry Congress and Exposition.
49 Stat. 1568.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That pursuant to section 2 of Public Resolution Numbered 113, approved June 20, 1936 (49 Stat. 1568), authorizing and requesting the President to extend to the World's Poultry Science Association an invitation to hold the Seventh World's Poultry Congress and Exposition in the United States in 1939, and to extend an invitation to foriegn[1] governments to participate in and be represented by delegates and exhibits in such congress and exposition, the sum of $100,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of such meeting, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses within the United States (and by indirect routes and by airplane if specifically authorized by the Secretary of State); purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; government exhibits; entertainment; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified: *Provided*, That the Secretary of State is authorized to transfer to any department or independent establishment of the Government with the consent of the head thereof any part of the funds appropriated pursuant to this Act for direct expenditure by such department or establishment for the purposes specified in this Act.

Sum authorized for expenses.
Post, p. 771.

Contracts without advertising.
R. S. § 3709.
41 U. S. C. § 5.

Reimbursement of other appropriations.

Proviso.
Transfer permitted.

Approved, July 30, 1937.

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[1] So in original.

[CHAPTER 552]

AN ACT

August 2, 1937
[S. 534]
[Public, No 237]

Granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That consent of Congress is hereby given to the States of Montana and Wyoming to negotiate and enter into a compact, or agreement, not later than June 1, 1939, providing for an equitable division and apportionment between the States of the water supply of the Yellowstone River and of the streams tributary thereto, upon condition that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make report to Congress of proceedings and of any compact or agreement entered into: *Provided*, That such compact or agreement shall not be binding or obligatory upon either of the parties thereto unless and until the same shall have been approved by the legislatures of each of said States and by the Congress of the United States: *Provided further*, That nothing in this Act shall apply to any waters within or tributary to the Yellowstone National Park or shall establish any right or interest in or to any lands within the boundaries thereof.

Yellowstone River. Consent given to compact by Montana and Wyoming for division of waters of.

Federal representative to participate; report to Congress.

Provisos. Approval.

Not applicable to waters within, etc., Yellowstone National Park.

Approved, August 2, 1937.

[CHAPTER 553]

AN ACT

August 2, 1937
[H. R. 6906]
[Public, No. 238]

To impose an occupational excise tax upon certain dealers in marihuana, to impose a transfer tax upon certain dealings in marihuana, and to safeguard the revenue therefrom by registry and recording.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when used in this Act—

Marihuana Tax Act of 1937.

(a) The term "person" means an individual, a partnership, trust, association, company, or corporation and includes an officer or employee of a trust, association, company, or corporation, or a member or employee of a partnership, who, as such officer, employee, or member, is under a duty to perform any act in respect of which any violation of this Act occurs.

Definitions. "Person."

(b) The term "marihuana" means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds, or resin; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

"Marihuana."

(c) The term "producer" means any person who (1) plants, cultivates, or in any way facilitates the natural growth of marihuana; or (2) harvests and transfers or makes use of marihuana.

"Producer."

(d) The term "Secretary" means the Secretary of the Treasury and the term "collector" means collector of internal revenue.

"Secretary;" "collector."

(e) The term "transfer" or "transferred" means any type of disposition resulting in a change of possession but shall not include a transfer to a common carrier for the purpose of transporting marihuana.

"Transfer" or "transferred."

SEC. 2. (a) Every person who imports, manufactures, produces, compounds, sells, deals in, dispenses, prescribes, administers, or gives

Special occupational tax levied.

away marihuana shall (1) within fifteen days after the effective date of this Act, or (2) before engaging after the expiration of such fifteen-day period in any of the above-mentioned activities, and (3) thereafter, on or before July 1 of each year, pay the following special taxes respectively:

(1) Importers, manufacturers, and compounders of marihuana, $24 per year.

(2) Producers of marihuana (except those included within subdivision (4) of this subsection), $1 per year, or fraction thereof, during which they engage in such activity.

(3) Physicians, dentists, veterinary surgeons, and other practitioners who distribute, dispense, give away, administer, or prescribe marihuana to patients upon whom they in the course of their professional practice are in attendance, $1 per year or fraction thereof during which they engage in any of such activities.

(4) Any person not registered as an importer, manufacturer, producer, or compounder who obtains and uses marihuana in a laboratory for the purpose of research, instruction, or analysis, or who produces marihuana for any such purpose, $1 per year, or fraction thereof, during which he engages in such activities.

Nonprofessional, etc., use.

(5) Any person who is not a physician, dentist, veterinary surgeon, or other practitioner and who deals in, dispenses, or gives away marihuana, $3 per year: *Provided*, That any person who has registered and paid the special tax as an importer, manufacturer, compounder, or producer, as required by subdivisions (1) and (2) of this subsection, may deal in, dispense, or give away marihuana imported, manufactured, compounded, or produced by him without further payment of the tax imposed by this section.

Proviso. Registered dealers, etc.

Computation of tax.

(b) Where a tax under subdivision (1) or (5) is payable on July 1 of any year it shall be computed for one year; where any such tax is payable on any other day it shall be computed proportionately from the first day of the month in which the liability for the tax accrued to the following July 1.

More than one place of business.

(c) In the event that any person subject to a tax imposed by this section engages in any of the activities enumerated in subsection (a) of this section at more than one place, such person shall pay the tax with respect to each such place.

More than one activity.

(d) Except as otherwise provided, whenever more than one of the activities enumerated in subsection (a) of this section is carried on by the same person at the same time, such person shall pay the tax for each such activity, according to the respective rates prescribed.

Registration requirements.

(e) Any person subject to the tax imposed by this section shall, upon payment of such tax, register his name or style and his place or places of business with the collector of the district in which such place or places of business are located.

Furnishing of lists; payment of fee.

(f) Collectors are authorized to furnish, upon written request, to any person a certified copy of the names of any or all persons who may be listed in their respective collection districts as special taxpayers under this section, upon payment of a fee of $1 for each one hundred of such names or fraction thereof upon such copy so requested.

Employees of registered persons.

SEC. 3. (a) No employee of any person who has paid the special tax and registered, as required by section 2 of this Act, acting within the scope of his employment, shall be required to register and pay such special tax.

Public officials exempted.

(b) An officer or employee of the United States, any State, Territory, the District of Columbia, or insular possession, or political subdivision, who, in the exercise of his official duties, engages in any of the activities enumerated in section 2 of this Act shall not be required to register or pay the special tax, but his right to this

exemption shall be evidenced in such manner as the Secretary may by regulations prescribe.

Certain activities without registration and payment of tax, unlawful.

SEC. 4. (a) It shall be unlawful for any person required to register and pay the special tax under the provisions of section 2 to import, manufacture, produce, compound, sell, deal in, dispense, distribute, prescribe, administer, or give away marihuana without having so registered and paid such tax.

Presumptive evidence of production, and liability therefor.

(b) In any suit or proceeding to enforce the liability imposed by this section or section 2, if proof is made that marihuana was at any time growing upon land under the control of the defendant, such proof shall be presumptive evidence that at such time the defendant was a producer and liable under this section as well as under section 2.

Shipments, etc., except as prescribed, unlawful.

SEC. 5. It shall be unlawful for any person who shall not have paid the special tax and registered, as required by section 2, to send, ship, carry, transport, or deliver any marihuana within any Territory, the District of Columbia, or any insular possession, or from any State, Territory, the District of Columbia, any insular possession of the United States, or the Canal Zone, into any other State, Territory, the District of Columbia, or insular possession of the United States: *Provided*, That nothing contained in this section shall apply to any common carrier engaged in transporting marihuana; or to any employee of any person who shall have registered and paid the special tax as required by section 2 while acting within the scope of his employment; or to any person who shall deliver marihuana which has been prescribed or dispensed by a physician, dentist, veterinary surgeon, or other practitioner registered under section 2, who has been employed to prescribe for the particular patient receiving such marihuana; or to any United States, State, county, municipal, District, Territorial, or insular officer or official acting within the scope of his official duties.

Proviso. Exceptions

Transfer except on written order from transferee unlawful.

SEC. 6. (a) It shall be unlawful for any person, whether or not required to pay a special tax and register under section 2, to transfer marihuana, except in pursuance of a written order of the person to whom such marihuana is transferred, on a form to be issued in blank for that purpose by the Secretary.

Exemptions

(b) Subject to such regulations as the Secretary may prescribe, nothing contained in this section shall apply—

Professional use by physician, etc.

(1) To a transfer of marihuana to a patient by a physician, dentist, veterinary surgeon, or other practitioner registered under section 2, in the course of his professional practice only: *Provided*, That such physician, dentist, veterinary surgeon, or other practitioner shall keep a record of all such marihuana transferred, showing the amount transferred and the name and address of the patient to whom such marihuana is transferred, and such record shall be kept for a period of two years from the date of the transfer of such marihuana, and subject to inspection as provided in section 11.

Proviso. Record to be kept.

Issue on written prescription.

(2) To a transfer of marihuana, made in good faith by a dealer to a consumer under and in pursuance of a written prescription issued by a physician, dentist, veterinary surgeon, or other practitioner registered under section 2: *Provided*, That such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, veterinary surgeon, or other practitioner who issues the same: *Provided further*, That such dealer shall preserve such prescription for a period of two years from the day on which such prescription is filled so as to be readily accessible for inspection by the officers, agents, employees, and officials mentioned in section 11.

Provisos. Details required.

Preservation.

Exportation to a country regulating entry.

(3) To the sale, exportation, shipment, or delivery of marihuana by any person within the United States, any Territory, the District of Columbia, or any of the insular possessions of the United States, to any person in any foreign country regulating the entry of mari-

huana, if such sale, shipment, or delivery of marihuana is made in accordance with such regulations for importation into such foreign country as are prescribed by such foreign country, such regulations to be promulgated from time to time by the Secretary of State of the United States.

Promulgation of rules.

Use by public officials.

(4) To a transfer of marihuana to any officer or employee of the United States Government or of any State, Territorial, District, county, or municipal or insular government lawfully engaged in making purchases thereof for the various departments of the Army and Navy, the Public Health Service, and for Government, State, Territorial, District, county, or municipal or insular hospitals or prisons.

Transfer of seeds to registered person.

(5) To a transfer of any seeds of the plant Cannabis sativa L. to any person registered under section 2.

Order forms; preparation, sale, etc.

(c) The Secretary shall cause suitable forms to be prepared for the purposes before mentioned and shall cause them to be distributed to collectors for sale. The price at which such forms shall be sold by said collectors shall be fixed by the Secretary, but shall not exceed 2 cents each. Whenever any collector shall sell any of such forms he shall cause the date of sale, the name and address of the proposed vendor, the name and address of the purchaser, and the amount of marihuana ordered to be plainly written or stamped thereon before delivering the same.

Use of.

(d) Each such order form sold by a collector shall be prepared by him and shall include an original and two copies, any one of which shall be admissible in evidence as an original. The original and one copy shall be given by the collector to the purchaser thereof. The original shall in turn be given by the purchaser thereof to any person who shall, in pursuance thereof, transfer marihuana to him and shall be preserved by such person for a period of two years so as to be readily accessible for inspection by any officer, agent, or employee mentioned in section 11. The copy given to the purchaser by the collector shall be retained by the purchaser and preserved for a period of two years so as to be readily accessible to inspection by any officer, agent, or employee mentioned in section 11. The second copy shall be preserved in the records of the collector.

Tax on transfers.
Ante, p. 553.

SEC. 7. (a) There shall be levied, collected, and paid upon all transfers of marihuana which are required by section 6 to be carried out in pursuance of written order forms taxes at the following rates:

Rates.

(1) Upon each transfer to any person who has paid the special tax and registered under section 2 of this Act, $1 per ounce of marihuana or fraction thereof.

(2) Upon each transfer to any person who has not paid the special tax and registered under section 2 of this Act, $100 per ounce of marihuana or fraction thereof.

Payment by transferee; by transferor.

(b) Such tax shall be paid by the transferee at the time of securing each order form and shall be in addition to the price of such form. Such transferee shall be liable for the tax imposed by this section but in the event that the transfer is made in violation of section 6 without an order form and without payment of the transfer tax imposed by this section, the transferor shall also be liable for such tax.

Payment by means of stamps.

(c) Payment of the tax herein provided shall be represented by appropriate stamps to be provided by the Secretary and said stamps shall be affixed by the collector or his representative to the original order form.

Provisions of law made applicable.
Internal revenue stamps.

(d) All provisions of law relating to the engraving, issuance, sale, accountability, cancelation, and destruction of tax-paid stamps provided for in the internal-revenue laws shall, insofar as applicable and

not inconsistent with this Act, be extended and made to apply to stamps provided for in this section.

(e) All provisions of law (including penalties) applicable in respect of the taxes imposed by the Act of December 17, 1914 (38 Stat. 785; U. S. C., 1934 ed., title 26, secs. 1040–1061, 1383–1391), as amended, shall, insofar as not inconsistent with this Act, be applicable in respect of the taxes imposed by this Act.

Narcotic Drug Act. 38 Stat. 785. 26 U. S. C. §§ 1040-1061, 1383-1391.

Transferee required to pay transfer tax failing to pay, etc.

SEC. 8. (a) It shall be unlawful for any person who is a transferee required to pay the transfer tax imposed by section 7 to acquire or otherwise obtain any marihuana without having paid such tax; and proof that any person shall have had in his possession any marihuana and shall have failed, after reasonable notice and demand by the collector, to produce the order form required by section 6 to be retained by him, shall be presumptive evidence of guilt under this section and of liability for the tax imposed by section 7.

Proof of possession.

No liability on enforcement officer.

(b) No liability shall be imposed by virtue of this section upon any duly authorized officer of the Treasury Department engaged in the enforcement of this Act or upon any duly authorized officer of any State, or Territory, or of any political subdivision thereof, or the District of Columbia, or of any insular possession of the United States, who shall be engaged in the enforcement of any law or municipal ordinance dealing with the production, sale, prescribing, dispensing, dealing in, or distributing of marihuana.

Forfeiture of contraband marihuana.

SEC. 9. (a) Any marihuana which has been imported, manufactured, compounded, transferred, or produced in violation of any of the provisions of this Act shall be subject to seizure and forfeiture and, except as inconsistent with the provisions of this Act, all the provisions of internal-revenue laws relating to searches, seizures, and forfeitures are extended to include marihuana.

Confiscation of seizures.

(b) Any marihuana which may be seized by the United States Government from any person or persons charged with any violation of this Act shall upon conviction of the person or persons from whom seized be confiscated by and forfeited to the United States.

(c) Any marihuana seized or coming into the possession of the United States in the enforcement of this Act, the owner or owners of which are unknown, shall be confiscated by and forfeited to the United States.

Destruction, etc.

(d) The Secretary is hereby directed to destroy any marihuana confiscated by and forfeited to the United States under this section or to deliver such marihuana to any department, bureau, or other agency of the United States Government, upon proper application therefor under such regulations as may be prescribed by the Secretary.

Records, returns, etc.

SEC. 10. (a) Every person liable to any tax imposed by this Act shall keep such books and records, render under oath such statements, make such returns, and comply with such rules and regulations as the Secretary may from time to time prescribe.

Statements by registered persons.

(b) Any person who shall be registered under the provisions of section 2 in any internal-revenue district shall, whenever required so to do by the collector of the district, render to the collector a true and correct statement or return, verified by affidavits, setting forth the quantity of marihuana received or harvested by him during such period immediately preceding the demand of the collector, not exceeding three months, as the said collector may fix and determine. If such person is not solely a producer, he shall set forth in such statement or return the names of the persons from whom said marihuana was received, the quantity in each instance received from such persons, and the date when received.

Order forms, prescriptions, etc.; inspection.

SEC. 11. The order forms and copies thereof and the prescriptions and records required to be preserved under the provisions of section

6, and the statements or returns filed in the office of the collector of the district under the provisions of section 10 (b) shall be open to inspection by officers, agents, and employees of the Treasury Department duly authorized for that purpose, and such officers of any State, or Territory, or of any political subdivision thereof, or the District of Columbia, or of any insular possession of the United States as shall be charged with the enforcement of any law or municipal ordinance regulating the production, sale, prescribing, dispensing, dealing in, or distributing of marihuana. Each collector shall be authorized to furnish, upon written request, copies of any of the said statements or returns filed in his office to any of such officials of any State or Territory, or political subdivision thereof, or the District of Columbia, or any insular possession of the United States as shall be entitled to inspect the said statements or returns filed in the office of the said collector, upon the payment of a fee of $1 for each 100 words or fraction thereof in the copy or copies so requested.

Copies of returns.

Penalty provisions.

SEC. 12. Any person who is convicted of a violation of any provision of this Act shall be fined not more than $2,000 or imprisoned not more than five years, or both, in the discretion of the court.

Negativing exemption in indictment, etc.

SEC. 13. It shall not be necessary to negative any exemptions set forth in this Act in any complaint, information, indictment, or other writ or proceeding laid or brought under this Act and the burden of proof of any such exemption shall be upon the defendant. In the absence of the production of evidence by the defendant that he has complied with the provisions of section 2 relating to registration or that he has complied with the provisions of section 6 relating to order forms, he shall be presumed not to have complied with such provisions of such sections, as the case may be.

Rules to be prescribed.

Post, p. 772.

SEC. 14. The Secretary is authorized to make, prescribe, and publish all necessary rules and regulations for carrying out the provisions of this Act and to confer or impose any of the rights, privileges, powers, and duties conferred or imposed upon him by this Act upon such officers or employees of the Treasury Department as he shall designate or appoint.

Scope of Act.

SEC. 15. The provisions of this Act shall apply to the several States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, and the insular possessions of the United States, except the Philippine Islands. In Puerto Rico the administration of this Act, the collection of the special taxes and transfer taxes, and the issuance of the order forms provided for in section 6 shall be performed by the appropriate internal-revenue officers of that government, and all revenues collected under this Act in Puerto Rico shall accrue intact to the general government thereof. The President is hereby authorized and directed to issue such Executive orders as will carry into effect in the Virgin Islands the intent and purpose of this Act by providing for the registration with appropriate officers and the imposition of the special and transfer taxes upon all persons in the Virgin Islands who import, manufacture, produce, compound, sell, deal in, dispense, prescribe, administer, or give away marihuana.

Virgin Islands.

Saving clause.

SEC. 16. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

Effective date.

SEC. 17. This Act shall take effect on the first day of the second month after the month during which it is enacted.

Short title.

SEC. 18. This Act may be cited as the "Marihuana Tax Act of 1937."

Approved, August 2, 1937.

[CHAPTER 554]

AN ACT

To permit the erection of the Shenandoah Memorial in or near Ava, Ohio.

August 2, 1937
[H. R. 7564]
[Public, No. 239]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act entitled "An Act authorizing the erection of a memorial to those who met their death in the wreck of the dirigible Shenandoah", approved May 22, 1936, is hereby amended to read as follows: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to erect in or near Ava, Ohio, a suitable tablet or marker to commemorate the heroic services rendered by Commander Landsdowne and other members of the crew who died when the Navy dirigible Shenandoah was destroyed."

Shenandoah Memorial, Ava, Ohio.
Location modified.
49 Stat. 1371.
Post, p 775.

Approved, August 2, 1937.

[CHAPTER 556]

AN ACT

For the protection of oyster culture in Alaska.

August 2, 1937
[H. R. 1561]
[Public, No. 240]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of Congress approved June 6, 1924, entitled "An Act for the protection of the fisheries of Alaska, and for other purposes" (43 Stat. 464), as amended by the Act of Congress approved June 18, 1926 (44 Stat. 752), is further amended by striking the period after the words "Alaskan Territorial waters", where they occur at the end of the second proviso, and inserting a colon in lieu thereof and after the colon the following: "*Provided further*, That the Secretary of Commerce, in his discretion, and upon such terms and conditions as he may deem fair and reasonable, is hereby authorized to lease bottoms in Alaskan Territorial waters for bona fide oyster cultivation for commercial purposes."

Alaska fisheries.
43 Stat 464; 44 Stat. 752.
Leasing of bottoms for commercial cultivation of oysters, authorized.

Approved, August 2, 1937.

[CHAPTER 557]

AN ACT

To authorize the construction of a Federal reclamation project to furnish a water supply for the lands of the Arch Hurley Conservancy District in New Mexico.

August 2, 1937
[S. 2086]
[Public, No. 241]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to construct a Federal reclamation project for the irrigation of the lands of the Arch Hurley Conservancy District in New Mexico under the Federal reclamation laws: *Provided*, That construction work is not to be initiated on said irrigation project until (a) the project shall have been found to be feasible under subsection B of section 4 of the Act of December 5, 1924 (43 Stat. 702), and (b) a contract shall have been executed with an irrigation or conservation district embracing the land to be irrigated under said project, which contract shall obligate the contracting district to repay the cost of construction of said project in forty equal annual installments, without interest: (c) contracts shall have been made with each owner of more than one hundred and sixty irrigable acres under said project, by which he, his successors, and assigns shall be obligated to sell all of his land in excess of one hundred and sixty irrigable acres at or below prices fixed by the Secretary of the Interior and within the time to be fixed by said Secretary, no

Arch Hurley Conservancy District, N. Mex.
Construction of reclamation project authorized.
Proviso.
Feasibility to be first ascertained.

43 Stat. 702.
Contract.

Conditions imposed.

Payments from land sales.

water to be furnished to the land of any such large landowner refusing or failing to execute such contract; and (d) contracts shall have been made with all owners of lands to be irrigated under the project by which they will agree that if their land is sold at prices above the appraised value thereof, approved by said Secretary, one-half of such excess shall be paid to the United States to be applied in the inverse order of the due dates upon the construction charge installments coming due thereafter from the owners of said land.

Approved, August 2, 1937.

[CHAPTER 563]

AN ACT

August 4, 1937
[S. 2416]
[Public, No. 242]

Relating to the citizenship of certain classes of persons born in the Canal Zone or the Republic of Panama.

Canal Zone or Republic of Panama.
Citizenship of person born of an American parent on or after February 26, 1904.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person born in the Canal Zone on or after February 26, 1904, and whether before or after the effective date of this Act, whose father or mother or both at the time of the birth of such person was or is a citizen of the United States, is declared to be a citizen of the United States.

Parent employed by U. S. or Panama Railroad Company.

SEC. 2. Any person born in the Republic of Panama on or after February 26, 1904, and whether before or after the effective date of this Act, whose father or mother or both at the time of the birth of such person was or is a citizen of the United States employed by the Government of the United States or by the Panama Railroad Company, is declared to be a citizen of the United States.

Approved, August 4, 1937.

[CHAPTER 564]

AN ACT

August 4, 1937
[S. 774]
[Public, No. 243]

To incorporate the Marine Corps League.

Marine Corps League.
Incorporators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Major General John A. Lejeune, United States Marine Corps, retired, honorary national commandant; Maurice A. Illch, national commandant; Roy S. Taylor, senior national vice commandant; Kenneth B. Collings, junior national vice commandant; Alexander F. Ormsby, national judge advocate; Reverend John H. Clifford, national chaplain; Edward A. Walker, national sergeant at arms; John B. Hinckley, Junior, national adjutant and paymaster; John E. Brock, national chief of staff, are hereby created a body corporate of the name "Marine Corps League."

Purposes.

SEC. 2. That the purposes of this corporation shall be (a) to preserve the traditions and to promote the interests of the United States Marine Corps; (b) to band those who are now serving in the United States Marine Corps and those who have been honorably discharged from that service together in fellowship that they may effectively promote the ideals of American freedom and democracy; (c) to fit its members for the duties of citizenship and to encourage them to serve as ably as citizens as they have served the Nation under arms; (d) to hold sacred the history and memory of the men who have given their lives to the Nation; (e) to foster love for the principles which they have supported by blood and valor since the founding of the Republic; (f) to maintain true allegiance to American institutions; (g) to create a bond of comradeship between those in service and those who have returned to civil life; (h) to aid

voluntarily and to render assistance to all marines and former marines as well as to their widows and orphans; (i) to perpetuate the history of the United States Marine Corps and by fitting acts to observe the anniversaries of historical occasions of peculiar interest to marines.

General corporate powers.

SEC. 3. That the corporation (a) shall have perpetual succession; (b) may charge and collect membership dues and receive contributions of money or property to be devoted to carrying out the purposes of the organization; (c) may sue or may be sued; (d) may adopt a corporate seal and alter it at pleasure; (e) may adopt and alter bylaws not inconsistent with the Constitution and laws of the United States or of any State; (f) may establish and maintain offices for the conduct of its business; (g) may appoint or elect officers and agents; (h) may choose a board of trustees, consisting of not more than fifteen persons nor less than five persons, to conduct the business and exercise the powers of the corporation; (i) may acquire, by purchase, devise, bequest, gift, or otherwise, and hold, encumber, convey, or otherwise dispose of such real and personal property as may be necessary or appropriate for its corporate purposes; and (j) generally may do any and all lawful acts necessary or appropriate to carry out the purposes for which the corporation is created.

Annual report to Congress.

SEC. 4. That the corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year, including the full and complete statement of its receipts and expenditures. Such reports shall not be printed as public documents.

Amendment, etc.

SEC. 5. That the right to alter, amend, or repeal this Act at any time is hereby expressly reserved.

Approved, August 4, 1937.

[CHAPTER 565]

AN ACT

August 5, 1937
[S. 2067]
[Public, No. 244]

To provide for, foster, and aid in coordinating research relating to cancer; to establish the National Cancer Institute; and for other purposes.

National Cancer Institute Act.

National Cancer Institute established as a division in the Public Health Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of conducting researches, investigations, experiments, and studies relating to the cause, diagnosis, and treatment of cancer; assisting and fostering similar research activities by other agencies, public and private; and promoting the coordination of all such researches and activities and the useful application of their results, with a view to the development and prompt widespread use of the most effective methods of prevention, diagnosis, and treatment of cancer, there is hereby established in the Public Health Service a division which shall be known as the National Cancer Institute (hereinafter referred to as the "Institute").

Surgeon General, authority and duties.

SEC. 2. The Surgeon General of the Public Health Service (hereinafter referred to as the "Surgeon General") is authorized and directed for the purposes of this Act and subject to its provisions, through the Institute and in cooperation with the National Cancer Advisory Council hereinafter established—

Researches, etc.

(a) To conduct, assist, and foster researches, investigations, experiments, and studies relating to the cause, prevention, and methods of diagnosis and treatment of cancer;

Coordination of, with other agencies, etc.

(b) To promote the coordination of researches conducted by the Institute and similar researches conducted by other agencies, organizations, and individuals;

Radium, procurement, etc., of.

(c) To procure, use, and lend radium as hereinafter provided;

Instruction in technical matters.

(d) To provide training and instruction in technical matters relating to the diagnosis and treatment of cancer;

Fellowships.

(e) To provide fellowships in the Institute from funds appropriated or donated for such purpose;

Consultations, etc.

(f) To secure for the Institute consultation services and advice of cancer experts from the United States and abroad; and

Cooperation with State agencies.

(g) To cooperate with State health agencies in the prevention, control, and eradication of cancer.

National Advisory Cancer Council; creation, composition, etc.

SEC. 3. There is hereby created the National Advisory Cancer Council (herein referred to as the "Council"), to consist of six members to be appointed by the Surgeon General with the approval of the Secretary of the Treasury, and of the Surgeon General, ex officio, who shall be chairman of the Council. The six appointed members shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of cancer in the United States. Each appointed member shall hold office for a term of three years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, two at the end of the first year, two at the end of the second year, and two at the end of the third year after the date of the first meeting of the Council. No appointed member shall be eligible to serve continuously for more than three years but shall be eligible for reappointment if he has not served as a member of the Council at any time within twelve months immediately preceding his reappointment. Each appointed member shall receive compensation at the rate of $25 per day during the time spent in attending meetings of the Council and for the time devoted to official business of the Council under this Act, and actual and necessary traveling and subsistence expenses while away from his place of residence upon official business under this Act.

Terms of office.

Service restrictions and provisions.

Compensation, etc.

Powers and duties of the Council.

SEC. 4. The Council is authorized—

Review of research projects, etc.

(a) To review research projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis and treatment of cancer, and certify approval to the Surgeon General for prosecution under section 2 (a) hereof any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis and treatment of cancer;

Collection and dissemination of information.

(b) To collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, and methods of diagnosis and treatment of cancer, by correspondence or by personal investigation of such studies, and with the approval of the Surgeon General make available such information through the appropriate publications for the benefit of health agencies and organizations (public or private), physicians, or any other scientists, and for the information of the general public;

Review of applications of grants-in-aid for research projects.

(c) To review applications from any university, hospital, laboratory, or other institution, whether public or private, or from individuals, for grants-in-aid for research projects relating to cancer, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of cancer;

Acceptance of conditional gifts.

Post, p. 561.

(d) To recommend to the Secretary of the Treasury for acceptance conditional gifts pursuant to section 6; and

(e) To make recommendations to the Surgeon General with respect to carrying out the provisions of this Act. Administrative recommendations.

SEC. 5. In carrying out the provisions of section 2 the Surgeon General is authorized—

(a) With the approval of the Secretary of the Treasury, to purchase radium, from time to time, without regard to section 3709 of the Revised Statutes; to make such radium available for use in carrying out the purposes of this Act; and, for such consideration and subject to such conditions as the Secretary of the Treasury shall prescribe, to lend such radium to institutions, now existing or hereafter established in the United States for the study of the cause, prevention, or methods of diagnosis or treatment of cancer, or for the treatment of cancer; Purchase of radium without advertising. R. S. § 3709 41 U. S. C. § 5. Availability. Use of, for study, etc.

(b) To provide the necessary facilities where training and instruction may be given in all technical matters relating to diagnosis and treatment of cancer to such persons as in the opinion of the Surgeon General have proper technical training and shall be designated by him for such training or instruction; such persons while receiving training or instruction may, with the approval of the Surgeon General, receive a per-diem allowance to be fixed by the Surgeon General but not to exceed $10; Providing facilities for instruction. Allowance permitted while receiving training, etc

(c) To establish and maintain, with the approval of the Secretary of the Treasury, research fellowships in the Institute with such stipends or allowances (including traveling and subsistence expenses) as the Surgeon General may deem necessary to procure the assistance of the most brilliant and promising research fellows from the United States or abroad; Research fellowships.

(d) To secure for the Institute, from time to time and for such periods as may be advisable, the assistance and advice of experts, scholars, and consultants from the United States or abroad who are learned and experienced in the problems involved in accomplishing the purposes of this Act; Experts, consultants, etc.

(e) To make grants in aid for research projects certified by the Council pursuant to section 4 (c); and Grants in aid for research projects.

(f) To adopt, upon recommendation of the Council and with the approval of the Secretary of the Treasury, such additional means as the Surgeon General may deem necessary or appropriate to carry out the provisions of sections 1 and 2 of this Act. Adoption of additional means of administration.

SEC. 6. The Secretary of the Treasury is authorized to accept on behalf of the United States gifts made unconditionally by will or otherwise for study, investigation, or research into the cause, prevention, and methods of diagnosis and treatment of cancer, or for the acquisition of grounds or for the erection, equipment, and maintenance of premises, buildings, and equipment for the Institute. Conditional gifts may be accepted by the Secretary if recommended by the Surgeon General and the Council. Any such gifts, if in money, shall be held in trusts and shall be invested by the Secretary of the Treasury in securities of the United States, and the principal or income thereof shall be expended by the Surgeon General, with the approval of the Secretary of the Treasury, for the purposes prescribed by this Act, subject to the same examination and audit as provided for appropriations made for the Public Health Service by Congress. Donations of $500,000 or over in aid of research under this Act shall be acknowledged permanently by the establishment within the Institute of suitable memorials to the donors. Unconditional gifts acceptable, for study, etc. Conditional; money to be held in trusts, etc. Investments. Memorials to donors of $500,000 or over.

SEC. 7. (a) There is hereby authorized to be appropriated a sum not to exceed $750,000 for the erection and equipment of a suitable and adequate building and facilities for the use of the Institute in Sum authorized for building and facilities.

Acquisition of site.

carrying out the provisions of this Act. The Secretary of the Treasury is authorized to acquire, by purchase, condemnation, donation, or otherwise, a suitable and adequate site or sites in or near the District of Columbia for such building and facilities, and to erect thereon, furnish, and equip such buildings and facilities when funds are made available.

Annual sums authorized for administrative purposes. *Post*, p. 772.

(b) There is hereby authorized to be appropriated the sum of $700,000 for each fiscal year, beginning with the fiscal year ending June 30, 1938, for the purpose of carrying out the provisions of this Act (except subsection (a) hereof). Sums appropriated pursuant to this subsection may be expended in the District of Columbia for personal services, stenographic recording and translating services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes; traveling expenses (including the expenses of attendance at meetings when specifically authorized by the Surgeon General); rental, supplies and equipment, purchase and exchange of medical books, books of reference, directories, periodicals, newspapers, and press clippings; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding (in addition to that otherwise provided by law); and for all other necessary expenses in carrying out the provisions of this Act.

Services in the District.

R. S. § 3709. 41 U. S. C. § 5.

Miscellaneous.

Appointment of commissioned officers.

SEC. 8. (a) There is hereby authorized to be appointed in the Public Health Service, in accordance with applicable law, such commissioned officers as may be necessary to aid in carrying out the provisions of this Act.

Existing laws not affected.

(b) This Act shall not be construed as superseding or limiting (1) the functions, under any other Act, of the Public Health Service or any other agency of the United States relating to the study of the prevention, diagnosis, and treatment of cancer; or (2) the expenditure of money therefor.

Rules and regulations.

(c) The Surgeon General with the approval of the Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.

Annual report to Congress.

(d) The Surgeon General shall include in his annual report for transmission to Congress a full report of the administration of this Act, including a detailed statement of receipts and disbursements.

Effective date.

(e) This Act shall take effect thirty days after the date of its enactment.

Short title.

(f) This Act may be cited as the "National Cancer Institute Act".

Approved, August 5, 1937.

[CHAPTER 566]

AN ACT

August 5, 1937
[S. 2116]
[Public, No. 245]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Natchez, Mississippi.

Mississippi River. Time extended for bridging, at Natchez, Miss.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Mississippi River, at or near Natchez, Mississippi, authorized to be built by the city of Natchez and county of Adams, State of Mississippi, by the Act of Congress approved August 30, 1935, as amended by the Act of Congress approved May 1, 1936, are hereby extended one and three years, respectively, from August 30, 1937.

49 Stat. 1069, 1255.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1937.

[CHAPTER 567]

AN ACT

To amend provisions of the Agricultural Marketing Agreement Act of 1937.

August 5, 1937
[S. 2147]
[Public, No. 246]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Agricultural Marketing Agreement Act of 1937 is amended by adding at the end thereof the following new subsections:

Agricultural Marketing Agreement Act of 1937, amendments.
Ante, p. 248.

"(k) Section 8c (2) is amended by inserting after the words 'except the products of naval stores' the words 'and the products of honeybees' and after 'soybeans' the following: ', honeybees' ".

Provisions extended to include honeybees.

"(l) Section 8c (6) is amended by inserting after 'soybeans and their products,' the following: 'honeybees,'."

Approved, August 5, 1937.

[CHAPTER 568]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oregon.

August 5, 1937
[S. 2205]
[Public, No. 247]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oregon, authorized to be built by the Oregon-Washington Bridge Board of Trustees by an Act of Congress approved June 13, 1934, as heretofore extended by Acts of Congress approved August 30, 1935, and January 27, 1936, are further extended one and three years, respectively, from June 13, 1937.

Columbia River.
Time extended for bridging, at Astoria, Oreg.
48 Stat. 949; 49 Stat. 1066, 1104.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 5, 1937.

[CHAPTER 569]

AN ACT

To amend section 22 of the Act approved March 4, 1925, entitled "An Act providing for sundry matters affecting the naval service, and for other purposes."

August 6, 1937
[S. 1115]
[Public, No. 248]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 of the Act approved March 4, 1925 (43 Stat. 1276; U. S. C., title 34, sec. 821), is hereby amended by inserting, in lieu of the words "twelve hundred", at the end of the section, the words "twenty-four hundred", so that the section as amended will read:

Naval Reserve Officers' Training Corps.
43 Stat. 1276.
34 U. S. C. § 821.

"SEC. 22. A Naval Reserve Officers' Training Corps is hereby authorized to be established and operated under such regulations as the President may prescribe, which regulations shall, so far as may be practicable, conform to the provisions of the National Defense Act approved June 3, 1916, sections 40 to 53, inclusive (39 Stat. L. 191–194), as amended by the Act approved June 4, 1920, sections 33 and 34 (41 Stat. L. 776–779): *Provided*, That the powers conferred therein upon the Secretary of War with regard to the Reserve Officers' Training Corps are hereby conferred upon the Secretary of the Navy with regard to the Naval Reserve Officers' Training Corps: *Provided further*, That all expenditures in connection with the establishment and operation of the Naval Reserve Officers' Training Corps shall be specifically appropriated therefor: *Provided further*, That members of the Naval Reserve Officers' Training Corps shall be eligible for appointment as Naval Reserve officers under the same

Establishment and operation.
Regulations for.

39 Stat. 191–194; 41 Stat. 776–779.

Provisos.
Powers of Secretary of Navy.

Specific appropriations for expenditures.

Eligibility of members as Naval Reserve officers.

Status.

conditions as provided by law for the appointment of Naval Reserve officers from other citizens of the United States, and when so appointed shall have the same status and be entitled to the same benefits in all respects as provided by law for other members of the Naval Reserve: *Provided further*, That the word 'naval' wherever used in this section shall be construed to include Marine Corps: *And provided further*, That the total personnel of the Naval Reserve Officers' Training Corps shall not exceed at any one time more than twenty-four hundred."

Marine Corps included.

Personnel, limit increased.

Approved, August 6, 1937.

[CHAPTER 570]

AN ACT

August 9, 1937
[H. R. 6958]
[Public, No 249]

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes.

Interior Department Appropriation Act, 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1938, namely:

Secretary's office.

OFFICE OF THE SECRETARY

Salaries.

SALARIES

Secretary, Under Secretary, Assistants, and office personnel.

Salaries: For the Secretary of the Interior, Under Secretary, First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, $420,000: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Provisos.
Salaries limited to average rates under Classification Act.
42 Stat. 1488.
5 U. S. C §§ 661–674.

Exception

Restriction not applicable to clerical-mechanical service.

No reduction in fixed salaries.
42 Stat. 1490.
5 U. S. C. § 666.

Transfers without reduction.

Payments under higher rates permitted.

If only one position in a grade.

Solicitor's office.

OFFICE OF SOLICITOR

Personal services.

For personal services in the District of Columbia and in the field, $280,000.

DIVISION OF TERRITORIES AND ISLAND POSSESSIONS

Division of Territories and Island Possessions.

For personal services in the District of Columbia, $56,460.

Personal services.

DIVISION OF INVESTIGATIONS

Division of Investigations.

For investigating official matters under the control of the Department of the Interior; for protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; for protecting public lands from illegal and fraudulent entry or appropriation; for adjusting claims for swamplands and indemnity for swamplands; and for traveling expenses of agents and others employed hereunder, $436,100, including not exceeding $27,000 for personal services in the District of Columbia; not exceeding $38,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motorboats for the use of agents and others employed in the field service; and not to exceed $5,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Secretary of the Interior, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Protecting timber and public lands.

Swamplands.

Traveling expenses.

Vehicles and motorboats.

Emergencies.

DIVISION OF GRAZING

Division of Grazing.

For carrying out the provisions of the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269), and as amended by the Act of June 26, 1936 (49 Stat. 1976), including examination and classification of lands with respect to grazing or agricultural utility, preparation of land classification maps and reports, traveling and other necessary expenses, payments for the cost of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior, not to exceed $55,000 for personal services in the District of Columbia, and not to exceed $30,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles, $450,000; for payment of a salary of $5 per diem while actually employed and for the payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockmen, $100,000; in all, $550,000.

Salaries and expenses.

48 Stat. 1269; 49 Stat. 1976.
43 U. S. C. § 315, Supp. II, § 315.
Classification, etc., of lands.

Services in the District.

Advisory committee expenses.

For construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934 (48 Stat., p. 1269) and as amended by the Act of June 26, 1936 (49 Stat., p. 1976), and not including contributions under section 9 of said Act, $250,000: *Provided*, That expenditures hereunder in any grazing district shall not exceed 25 per centum of all moneys received under the provisions of said Act from such district during the fiscal years 1937 and 1938.

Range improvements.
48 Stat. 1273; 49 Stat. 1978.
43 U. S. C. §§ 315i, j; Supp. II, § 315i.

Proviso.
Limitation on expenditure in any district.

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

Department contingent expenses.

For contingent expenses of the office of the Secretary and the bureaus and offices of the Department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, telephone service, including personal services of temporary or emergency telephone operators; street-car fares for use by messengers not exceeding $150;

expressage, diagrams, awnings, filing devices, typewriters, adding and addressing machines, and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and air-mail stamps for use in the United States; traveling expenses, including necessary expenses of inspectors and attorneys; fuel and light; examination of estimates for appropriations in the field for any bureau, office, or service of the Department; not exceeding $500 for the payment of damages caused to private property by Department motor vehicles; not exceeding $2,500 for the purchase of a motor-propelled passenger-carrying vehicle for the official use of the Secretary of the Interior to be immediately available; purchase and exchange of motor trucks, motorcycles, and bicycles, maintenance, repair, and operation of two motor-propelled passenger-carrying vehicles and motor trucks, motorcycles, and bicycles to be used only for official purposes; rent of Department garage; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the Department, its bureaus and offices; expense of translations, and not exceeding $1,000 for contract stenographic reporting services; not exceeding $700 for newspapers; stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the Department and its several bureaus and offices, and other absolutely necessary expenses not hereinbefore provided for, $103,940; and, in addition thereto, sums amounting to $45,200 for stationery supplies shall be deducted from other appropriations made for the fiscal year 1938 as follows: General Land Office, $3,500; Geological Survey, $6,000; Freedmen's Hospital, $1,000; Saint Elizabeths Hospital, $2,200; National Park Service, $10,000; Bureau of Reclamation, $7,500, any unexpended portion of which shall revert and be credited to the reclamation fund; Division of Investigations, $2,000; Bureau of Mines, $9,000; Division of Grazing, $4,000; and said sums so deducted shall be credited to and constitute, together with the first-named sum of $103,940, the total appropriation for contingent expenses for the Department and its several bureaus and offices for the fiscal year 1938.

Private property damages.
Vehicles.

Disbarment proceedings.

Stationery, etc.

Additional, from specified appropriations.

Professional, etc., books, periodicals, etc.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, $600, and in addition there is hereby made available from any appropriations made for any bureau or office of the Department not to exceed the following respective sums: Indian Service, $500; Office of Education, $2,500; Bureau of Reclamation, $2,000; Geological Survey, $6,000; National Park Service, $2,000; General Land Office, $500; Bureau of Mines, $3,000.

Additional sums for designated offices.

Furniture, equipment, etc., new building.
Purchases without advertising, etc.
R. S. § 3709.
41 U. S. C. § 5.
49 Stat. 1619.

Furniture, furnishings, and equipment, new Interior Department Building: The provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any expenditure authorized under this head in the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat., p. 1619), when the aggregate amount involved is less than $300.

Printing and binding.

For printing and binding for the Department of the Interior, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Alaska Railroad, the Geological Survey, Vocational Education, and the Bureau of Reclamation, $243,000, of which $55,000 shall be for the National

Park Service, $78,000 for the Bureau of Mines, and $50,000 for the Office of Education, no part of which shall be available for correspondence instruction.

Restriction.

COMMISSION OF FINE ARTS

Commission of Fine Arts.

For expenses made necessary by the Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (U. S. C., title 40, sec. 104), including the purchase of periodicals, press clippings, maps, and books of reference, and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, $9,700, of which amount not to exceed $6,360 may be expended for personal services in the District of Columbia.

Expenses.
36 Stat. 371.
40 U. S. C. § 104.
Periodicals, etc.

Attendance at meetings, etc

For all printing and binding for the Commission of Fine Arts, $300.

Printing and binding.

Total, Commission of Fine Arts, $10,000.

GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION

George Rogers Clark Sesquicentennial Commission.

The George Rogers Clark Sesquicentennial Commission created by the joint resolution approved May 23, 1928, as amended, shall cease and terminate June 30, 1938, and the unexpended balances of the appropriations heretofore made for carrying out the purposes of such joint resolution, as amended, shall be available until June 30, 1938.

Functions continued.
45 Stat. 724, 49 Stat. 654.
Balances available.
49 Stat. 1112.

MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

Mount Rushmore National Memorial Commission.

Mount Rushmore National Memorial Commission: For carrying into effect the provisions of the Act creating the Mount Rushmore National Memorial Commission, approved February 25, 1929 (45 Stat., p. 1300), as amended by the Act approved June 26, 1934 (48 Stat., p. 1223), and the Act approved August 29, 1935 (Public, Numbered 393, Seventy-fourth Congress), $50,000, of which $30,000 shall be immediately available, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1937: *Provided*, That no part of this appropriation shall be expended for work on any figure, in addition to the four figures authorized by law, upon which work had not commenced as of June 22, 1936.

Expenses.
45 Stat. 1300; 48 Stat. 1223.

49 Stat. 962

Amount immediately available.
49 Stat. 1760.

Proviso.
Restriction.

NATIONAL BITUMINOUS COAL COMMISSION

National Bituminous Coal Commission.

Salaries and expenses: For all necessary expenditures of the National Bituminous Coal Commission in performing the duties imposed upon said Commission by the Bituminous Coal Act of 1937, approved April 26, 1937 (Public, Numbered 48, Seventy-fifth Congress), including personal services and rent in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings which, in the discretion of the Commission, are necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; stationery and office supplies; purchase, rental, exchange, operation, maintenance, and repair of reproducing, photographing, and other such equipment, typewriters, calculating machines, mechanical tabulating equipment, and other office appliances and labor-saving devices; printing and binding; witness fees and fees and mileage in accordance with section 8 of the Bituminous Coal Act of 1937; not to exceed $12,500 for purchase,

Salaries and expenses.
Ante, p. 72.

Attendance at meetings, etc.

Stationery, etc.

Printing and binding.

Witness fees, etc.
Ante, p. 86.

Vehicles.

exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for use outside the District of Columbia; garage rentals; miscellaneous items, including those for public instruction and information deemed necessary by the Commission; and not to exceed $8,500 for purchase and exchange of newspapers, law books, reference books, and periodicals, $3,600,000.

Consumers' Counsel's office.

Consumers' Counsel of the National Bituminous Coal Commission, salaries and expenses: For all necessary expenditures of the office of the Consumers' Counsel of the National Bituminous Coal Commission, in performing the duties imposed upon said office of Consumers' Counsel by the Bituminous Coal Act of 1937, approved April 26, 1937 (Public, Numbered 48, Seventy-fifth Congress), including personal services and rent in the District of Columbia and elsewhere, traveling expenses, printing and binding, contract stenographic reporting services, stationery and office supplies and equipment, and not to exceed $1,000 for books and periodicals, $300,000.

Ante, p. 74

Services, etc., in the District

PETROLEUM CONSERVATION DIVISION

Petroleum Conservation Division.

Salaries and expenses.

49 Stat. 30

15 U. S. C., Supp. II, § 715

Salaries and expenses, oil regulation and enforcement: For administering and enforcing the provisions of the Act approved February 22, 1935 (49 Stat., p. 30), entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", as amended, and to include necessary personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations, traveling expenses, contract stenographic reporting services, rent, stationery, and office supplies, not to exceed $1,000 for necessary expenses of attendance at meetings and conferences concerned with the work of petroleum conservation when authorized by the Secretary of the Interior, not to exceed $4,000 for printing and binding, not to exceed $500 for books and periodicals, and not to exceed $14,000 for the purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, $285,000.

Attendance at meetings, etc.

Printing and binding

WAR MINERALS RELIEF COMMISSION

War Minerals Relief Commission.

Administrative expenses.

40 Stat. 1272.

Administrative expenses: For administrative expenses made necessary by section 5 of the Act entitled "An Act to provide relief in cases on contracts connected with the prosecution of the war, and for other purposes", approved March 2, 1919 (40 Stat., p. 1272), including personal services, without regard to the civil-service laws and regulations; traveling and subsistence expenses; supplies and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, $20,000.

General Land Office.

GENERAL LAND OFFICE

Salaries.

SALARIES

Commissioner, and office personnel.

For Commissioner of the General Land Office and other personal services in the District of Columbia, $637,700, including one clerk, who shall be designated by the President, to sign land patents.

Transcribing records.

Transcribing records: For special personal services in the District of Columbia to transcribe worn and defaced records of the General Land Office, $10,000.

Binding records.

Binding records: For personal services in the District of Columbia, purchase and maintenance of equipment, and all other expenses requisite for and incidental to the establishment, operation, and

maintenance of a branch of the Government Printing Office in the Interior Building, to bind, rebind, and repair books of record in the General Land Office, to be expended under the supervision of the Public Printer, $10,000.

GENERAL EXPENSES

General expenses

Traveling expenses, maps, etc.

For traveling expenses of officers and employees, including employment of stenographers and other assistants when necessary; for separate maps of public-land States and Alaska, including maps showing areas designated by the Secretary of the Interior under the enlarged homestead Acts, prepared by the General Land Office; for the reproduction by photolithography or otherwise of official plats of surveys; for expenses of restoration to the public domain of lands in forest reserves and of lands temporarily withdrawn for forest-reserve purposes; and for expenses of hearings or other proceedings held by order of the General Land Office to determine the character of lands, whether alleged fraudulent entries are of that character or have been made in compliance with the law, and of hearings in disbarment proceedings, $15,000.

Restoration of lands to public domain

Hearings.

Surveying public lands.

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, $1,000,000, including not to exceed $5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That not to exceed $5,000 of this appropriation may be expended for salaries of employees of the field surveying service temporarily detailed to the General Land Office: *Provided further*, That not to exceed $10,000 of this appropriation may be used for the survey, classification, and sale of the lands and timber of the so-called Oregon and California Railroad lands and the Coos Bay Wagon Road lands: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation fund, or special deposit.

Vehicles.

Provisos.
Temporarily detailed employees.

Oregon and California Railroad and Coos Bay Wagon Road lands.

Other surveys; reimbursable.

Registers.

Registers: For salaries and commissions of registers of district land offices, $74,000.

Contingent expenses, land offices.

Contingent expenses of land offices: For clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money; traveling expenses of clerks detailed to examine the books and management of district land offices and to assist in the operation of said offices, and for traveling expenses of clerks transferred in the interest of the public service from one district land office to another, $160,000: *Provided*, That no expenses chargeable to the Government shall be incurred by registers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office.

Proviso.
Restriction

Payments to States from sales of public lands.

Payments to States of 5 per centum of proceeds from sales of public lands: For payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, $2,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Expenditures limited.
48 Stat. 1227.
31 U. S. C. § 725c

Coos Bay Wagon Road lands, etc.
Payment of proceeds of sales of

Payment of proceeds of sales of Coos Bay Wagon Road grant lands and timber: For payment of 25 per centum of the balance of the proceeds from sales of the Coos Bay Wagon Road grant lands and timber within each of the counties of Coos and Douglas, Oregon, after deducting the accrued taxes in said counties and a sum equal to $2.50 per acre for the land title to which revested in the United States pursuant to the Act of February 26, 1919 (40 Stat., p. 1179), to be paid to the treasurer of the county for common schools, roads, highways, bridges, and port districts, $15,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

40 Stat. 1179.

Proviso.
Expenditures limited.
48 Stat. 1227.
31 U. S. C. § 725c.

Payments in lieu of taxes.
Oregon and California grant lands.
44 Stat. 915.

Payments to certain counties in Oregon in lieu of taxes on Oregon and California grant lands: For payment to the several counties in the State of Oregon, pursuant to the Act of July 13, 1926 (44 Stat., p. 915), amounts of money in lieu of the taxes that would have accrued against the revested Oregon and California Railroad Company grant lands if the lands had remained privately owned and taxable, $250,000: *Provided*, That payments to the counties shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso.
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

Oil and gas royalties.
Payment to Oklahoma from, south half of Red River.
42 Stat. 1448.
30 U. S. C. § 233.
In lieu of State, etc., taxes.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (U. S. C., title 30, sec. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (U. S. C., title 30, sec. 191), $8,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

41 Stat. 450.
30 U. S. C. § 191.

Proviso.
Limitation.

Indian Affairs Bureau.

BUREAU OF INDIAN AFFAIRS

SALARIES

Commissioner, and office personnel.

For the Commissioner of Indian Affairs and other personal services in the District of Columbia, $508,470.

General expenses.

GENERAL EXPENSES

Traveling, etc., expenses.
Radio, etc., tolls.

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, $32,000.

Supplies; purchase, transportation, etc.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, $700,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Proviso.
Restriction on payments.

Judges, Indian police, etc.

For pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, including traveling expenses, supplies, and equipment, $216,540.

Agency buildings
Lease, purchase, etc.

For lease, purchase, construction, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, $170,000: *Provided*, That no part of this appropriation shall be available for the construction of any building, the total cost of which is in excess of $1,500.

Proviso
Limit on construction costs.

Tribal organizations, expenses
48 Stat 986.
25 U. S. C. § 476

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 986), including personal services, purchase of equipment and supplies, not to exceed $3,000 for printing and binding, and other necessary expenses, $130,000, of which not to exceed $25,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed $3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed $15,000 shall be available for expenditure in said State.

Services in the District

Provisos.
Travel allowance

Expenditure in New Mexico

Vehicles, maintenance, etc

Vehicles, Indian Service: Not to exceed $460,000 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed $190,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Transportation of Indian pupils.
Vehicles, purchases limited.

Emergency replacement of property.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding $35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Proviso.
Report of diversions to Congress.

Attendance at meetings.

Authorization for attending health and educational meetings: Not to exceed $7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

INDIAN LANDS

Indian lands.

Pueblo Indians, N. Mex.
Land and water rights, etc.
Reappropriation from tribal funds.
49 Stat. 1764.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balances of appropriations heretofore made, from the trust funds of the several pueblos, for the purchase of land and water rights, purchase of equipment for industrial advancement and fencing, irrigating, and improving lands, are hereby continued available, for the same purposes until June 30, 1938, and for such other purposes, except per-capita payments, as may be recommended by the governing officials of the par-

Per-capita payments excepted.

ticular pueblos involved, and be approved by the Commissioner of Indian Affairs.

Pueblo Indians, N. Mex., compensation to.

Compensation to Pueblo Indians, New Mexico: For the second of three installments for additional compensation to the Pueblo Indians of New Mexico, for loss of land and water rights, and in settlement of the liability of the United States to said Pueblos as declared by the Act of June 7, 1924 (43 Stat., p. 636), and as authorized by the Act of May 31, 1933 (48 Stat., p. 109), $253,960.61, which amount shall be deposited in the Treasury of the United States to the credit of the following-named pueblos:

43 Stat 636, 48 Stat. 109.

Pueblos designated.

Jemez, $628.33; Nambe, $15,813.17; Taos, $28,235.70; Santa Ana, $969.46; Santo Domingo, $1,418.85; Sandia, $4,326.87; San Felipe, $4,984.84; Isleta, $15,917.10; Picuris, $22,191.47; San Ildefonso, $12,352.76; San Juan, $51,287.68; Santa Clara, $60,371.39; Cochiti, $12,608.79; Pojoaque, $22,854.20: *Provided*, That expenditures may be made from the foregoing sums, as authorized by the Act of May 31, 1933, for the purchase of lands and water rights, purchase or construction of reservoirs, irrigation works, or other permanent improvements upon or for the benefit of the lands of said pueblos and for such other purposes, except per capita payments, as may be recommended by the governing officials of the particular pueblos involved, and be approved by the Commissioner of Indian Affairs.

Proviso. Acquisition of lands, water rights, etc. 48 Stat. 109.

Compensation to non-Indian claimants, Pueblo lands. 49 Stat. 1459; 43 Stat. 636

Compensation to non-Indian claimants, Pueblo Indian lands, New Mexico: For carrying out the provisions of the Act of June 4, 1936 (49 Stat., p. 1459), in supplemental settlement of the liability of the United States to non-Indian claimants on Indian Pueblo grants whose claims, extinguished under the Act of June 7, 1924, have been found entitled to awards under said Act, as supplemented by the Act of May 31, 1933 (48 Stat., p. 108), $3,071.24, to remain available until June 30, 1939, to be apportioned to claimants within the several pueblos as follows: San Ildefonso, $141.88; San Juan, $244.20; Nambe, $456.40; Sandia, $1,292.21; Cochiti, $936.55: *Provided*, That the unexpended balance of the appropriation contained in the Fourth Deficiency Act, fiscal year 1933, and subsequently continued available until June 30, 1936, for carrying out the provisions of the Act of May 31, 1933, is hereby continued available until June 30, 1938.

Awards.

48 Stat. 108.

Apportionment.

Proviso. Balance available 48 Stat. 277; 49 Stat. 183, 1765 48 Stat. 108.

Navajo Indians, Ariz. Purchase of lands. Reappropriation. 48 Stat. 1033.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat., p. 961), is hereby continued available for the same purposes until June 30, 1938.

48 Stat. 961.

Navajo Indians, Ariz., purchase of improvements of.

Purchase of improvements belonging to certain Navajo Indians, Arizona (tribal funds): For purchase of improvements belonging to Navajo Indians residing on public-domain allotments in Arizona outside the area described in the Act of June 14, 1934 (48 Stat., p. 960), establishing the boundary of the Navajo Reservation in Arizona, and consolidating the Indian holdings within, and non-Indian holdings outside of, the reservation, $7,315, payable from funds deposited to the credit of the Navajo Tribe.

48 Stat. 960.

Navajos in Utah, purchase of land.

Purchase of land for Navajo Indians, Utah (tribal funds): For the purchase of lands and improvements thereon, and of improvements on former public-domain lands, within additions made to the Navajo Reservation, Utah, by Executive order of May 15, 1905, and the Act of March 1, 1933 (47 Stat., p. 1418), $20,000, payable from funds deposited to the credit of the Navajo Tribe.

47 Stat. 1418.

Leasing lands and water rights.

Leasing of lands for Navajo Indians (tribal funds): For lease, pending purchase, of land and water rights for the use and benefit

of Indians of the Navajo Tribe in Arizona and New Mexico, $20,000, payable from funds on deposit to the credit of the Navajo Tribe.

Acquisition of lands, etc.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat., p. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, $950,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1937, of which not to exceed $20,000 shall be available for personal services in the District of Columbia: *Provided*, That within the States of Arizona, New Mexico, and Wyoming no part of said sum shall be used for the acquisition of lands outside of the boundaries of existing Indian reservations: *Provided further*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of $500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created.

48 Stat. 984.

Balance reappropriated.
49 Stat. 1765.

Provisos.
Use outside reservation restricted.

Contracts.

Redemption of restricted land subject to taxation.

For payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, $25,000, to be immediately available and to be expended in accordance with the terms of the Act of June 20, 1936 (49 Stat., p. 1542).

49 Stat. 1542.

Confederated Bands of Ute Indians, payment to.
49 Stat. 1272.

For payment, pursuant to the provisions of the Act of May 15, 1936 (49 Stat., p. 1272), to the Confederated Bands of Ute Indians in full compensation as to claim for the principal sum for sixty-four thousand five hundred and sixty acres of land in western Colorado set aside as a naval oil reserve by Executive orders dated December 6, 1916, and September 27, 1924, $161,400: *Provided*, That in the discretion of the Secretary of the Interior, and with the approval of the tribe expressed through its tribal council, not more than $100,000 of the amount apportioned to the Indians of the Uintah and Ouray Reservation, Utah, together with $100,000 additional from tribal funds now on deposit to the credit of the Ute Indians in Utah, may be expended for the acquisition of privately owned lands or interests therein, together with the improvements thereon, and of improvements on former public-domain lands, for said Indians.

Proviso.
Acquisition of privately owned lands.

Additional from tribal funds.

Cheyenne River Reservation, S. Dak., purchase of land, etc.

Purchase of land, Cheyenne River Reservation, South Dakota (tribal funds): For the purchase of Indian-owned and privately owned land, and improvements thereon, in the Cheyenne River Reservation, South Dakota, $12,500, payable from funds on deposit to the credit of the Cheyenne River Indians: *Provided*, That title to any land or improvements so purchased shall be taken in the name of the United States in trust for the Cheyenne River Tribe.

Proviso.
Title to land.

Landless Indians in California, purchase of land for.
43 Stat. 1101; 48 Stat. 1228.

The unexpended balance of $5,004.25 of the appropriation "Purchase of land for landless Indians in California, Act of March 3, 1925, special fund", which appropriation was repealed by section 4 (b 24) of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1227), is hereby reappropriated and made available until expended for payment of obligations heretofore incurred or to be incurred hereafter in the acquisition of land in California, with such improvements as may be appurtenant thereto, for the relief of homeless Indians of that State.

Industrial assistance and advancement.

INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, $275,000: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

Proviso.
Forest land administration, from proceeds of sales, etc.

Timber sales, etc., expenses; reimbursable.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, $120,000, reimbursable to the United States as provided in the Act of February 14, 1920 (U. S. C., title 25, sec. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

41 Stat. 415.
25 U. S. C. § 413.

Proviso.
Rewards for information.

Suppression, etc., of forest fires.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, $15,000, together with $25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed $50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary of the Interior, for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

Provisos.
Additional amount available.

Report of diversions to Congress.

Geological Survey.
Transfer of sum to, for supervising mining operations, etc.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (U. S. C., title 25, secs. 336, 371, 397), May 27, 1908 (35 Stat., p. 312), March 3, 1909 (U. S. C., title 25, sec. 396), and other Acts authorizing the leasing of such lands for mining purposes, $80,000.

26 Stat. 794, 35 Stat. 312, 444, 783.
25 U. S. C. §§ 336, 371, 396, 397.

Obtaining employment for Indians.

For the purpose of obtaining remunerative employment for Indians, $40,000.

Agriculture and stock raising.

Agricultural experiments and demonstrations.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, $625,000, of which not to exceed $15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed $30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation: *Provided*, That the unexpended balance of the appropriation of $60,000 contained in the Interior Department Appropriation Act, fiscal year 1936, for the establishment of a sheep-breeding station on the Navajo Reservation, is continued available during the fiscal year 1938 for the construction of quarters for employees assigned to such station.

Navajo sheep-breeding station.

Proviso.
Balance reappropriated.
49 Stat. 184.

Construction of employees' quarters.

Encouraging industry, etc.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, $215,000, which sum may be used for the purchase of seeds,

animals, machinery, tools, implements, and other equipment necessary, and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof, in the discretion of the Secretary of the Interior, to enable Indians to become self-supporting: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1943, except in the case of loans on irrigable lands for permanent improvement of said lands, in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior: *Provided further*, That except for the Navajo Indians in Arizona and New Mexico not to exceed $25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their land until paid: *Provided further*, That not to exceed $15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That not to exceed $50,000 may be advanced to the Navajo Tribe of Indians for the purchase, feeding, sale, or other disposition of sheep, goats, and other livestock belonging to the Navajo Indians.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Limitation, exception.

Advances to old, etc., allottees.

Advances to young students; repayment.

Purchase, disposition of sheep and other livestock.

Industrial assistance (tribal funds): For the construction of homes for individual members of the tribes; the purchase for sale to them of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, $66,600, payable from tribal funds as follows: Seminole, Florida, $6,000; Fort Totten (Devils Lake), North Dakota, $600; Rosebud, South Dakota, $10,000; Shoshone, Wyoming, $50,000; and the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1937, and the Act of June 27, 1932 (47 Stat., p. 335), are hereby continued available during the fiscal year 1938: *Provided*, That the expenditures for the purposes above set forth shall be under conditions to be prescribed by the Secretary of the Interior for repayment to the United States on or before June 30, 1943, except in the case of loans on irrigable lands for permanent improvement of said lands in which the period for repayment may run for not exceeding twenty years, in the discretion of the Secretary of the Interior, and advances to old, disabled, or indigent Indians for their support and burial, which shall remain a charge and lien against their land until paid: *Provided further*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1938 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed

Industrial assistance
Constructing homes, purchase of seed, equipment, etc.
Advances to old, etc., allottees.

49 Stat. 1767; 47 Stat. 335.

Provisos.
Conditions for repayment.

Loans on irrigable lands.

Advances to young students.

Reimbursement.

Credits and availability.

Tribal enterprises.

Use of revenues.

by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes.

Revolving fund for loans to Indian corporations.
48 Stat. 986.

Making loans, etc.
49 Stat. 1967.

Services and supplies.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian chartered corporations in accordance with the Act of June 18, 1934 (48 Stat., p. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat., p. 1967), $520,000, of which amount not to exceed $125,000 shall be available for personal services in the District of Columbia and in the field, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than $2,500 for printing and binding.

Indian arts and crafts.
49 Stat. 891.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat., p. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States, while absent from their homes, not to exceed $2,500 for printing and binding, and other necessary expenses, $42,500, of which not to exceed $16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $7,500 per annum.

Indian Arts and Crafts Board, expenses.

Printing and binding.

Services in the District.

Proviso.
Salary restriction.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Developing and conserving, in Arizona and New Mexico.

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, $70,000.

Irrigation and drainage.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Projects.

Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

Miscellaneous projects, $23,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,500, together with $1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous

projects, Arizona and New Mexico, $6,500; Salt River, $5,000; San Xavier, $2,000; California: Coachella Valley, $1,000; Morongo, $4,000; Pala and Rincon, $2,000, together with $2,000, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Colorado: Southern Ute, $11,000, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Nevada: Pyramid Lake, $3,000; Walker River, $5,000; Western Shoshone, $4,000; New Mexico: Miscellaneous Pueblos, $25,000; Washington: Colville, $3,500, together with $500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Lummi Diking Project, $1,000, together with $2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act;

Administrative expenses.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $60,000;

Total; reimbursable.

In all, for irrigation on Indian reservations, not to exceed $175,000, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Provisos.
Amounts interchangeable.

Limitation.

Apportionment of expenses on per-acre basis.

Unpaid charges a first lien.

San Carlos project, Ariz.
Maintenance, etc.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, including not to exceed $2,000 for purchase of land, $76,300, reimbursable, together with $112,200 (operation and maintenance collections) and $161,000 (power revenues), of which latter sum not to exceed $25,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts $112,200 and $161,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $349,500.

Emergencies.

Limitation.

48 Stat. 1227.
31 U. S. C. § 725c.

Pima Indians, Ariz.
Subjugation and cropping operations on lands of.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available so much as may be necessary of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians in accordance with tribal resolution of June 16, 1937, and subject to the approval of the Secretary of the Interior, the Pima Indians are hereby authorized to employ an attorney and an accountant for the purpose of advising them in connection with the legality and equity of these operation and maintenance assessments at a cost of not to exceed $2,000 including all expenses connected therewith payable from tribal funds.

Irrigation operation, etc., charges.

Employment of attorney and accountant.

Colorado River Reservation, Ariz.
Maintenance, etc., of system.
36 Stat. 273.
Reimbursable.

For improvement, operation, and maintenance of the pumping plants and irrigation system on the Colorado River Indian Reservation, Arizona, as provided in the Act of April 4, 1910 (36 Stat., p. 273), $17,000, reimbursable, together with $20,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.
31 U. S. C. § 725c.

San Carlos Reservation, Ariz
Operation, etc., of pumping plants.

Operation and maintenance, pumping plants, San Carlos Reservation, Arizona (tribal funds): For the operation and maintenance of pumping plants for the irrigation of lands on the San Carlos Reservation, in Arizona, $5,000, to be paid from the funds held by the United States in trust for the Indians of such reservation: *Provided*, That the sum so used shall be reimbursed to the tribe by the Indians benefited, under such rules and regulations as the Secretary of the Interior may prescribe.

Proviso.
Reimbursement.

Yuma Reservation, Calif.-Ariz.
Reclamation, etc., charges.

For reclamation and maintenance charges on Indian lands within the Yuma Reservation, California, and on ten acres within each of the eleven Yuma homestead entries in Arizona under the Yuma reclamation project, $53,338, reimbursable, together with $3,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Hall system, Idaho.
Maintenance, etc.

For improvements, maintenance, and operation of the Fort Hall irrigation system, Idaho, $23,000, together with $25,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Belknap Reservation, Mont.
Maintenance, etc., of system.

Limitation.

For maintenance and operation, repairs, and purchase of stored waters, irrigation systems, Fort Belknap Reservation, Montana, $14,800, reimbursable, together with $4,200 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fort Peck project, Mont.
Maintenance, etc

Limitation.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, $7,000, reimbursable, together with $3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Flathead Reservation, Mont.
Maintenance, etc.

For operation and maintenance of the irrigation systems on the Flathead Reservation, Montana, $12,000, reimbursable, together with $90,000 (operation and maintenance collections) and $45,000 (power revenues), from which amounts of $90,000 and $45,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $147,000.

Crow Reservation, Mont.
Maintenance, etc.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggins Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, $5,000, reimbursable, together with $35,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Newlands project, Nev.
Payment of charges against Paiute lands.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, $5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments

Drains to Truckee-Carson district.

for the operation of drains to the Truckee-Carson irrigation district, which district, under contract, is operating the Newlands reclamation project, $7,029, to be immediately available; in all, $12,410.

Navajo Reservation, N. Mex.
Operation of Hogback project.

For operation and maintenance of the Hogback irrigation project on that part of the Navajo Reservation in New Mexico under the jurisdiction of the Northern Navajo Agency, $15,000, reimbursable, together with $5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Fruitlands project, N. Mex.
Maintenance, etc.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, $14,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Middle Rio Grande conservancy district, N. Mex.
Maintenance, etc.

For operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande conservancy district, New Mexico, $11,250, or so much thereof as may be necessary, reimbursable.

Klamath Reservation, Oreg
Operation of projects on.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, $1,000, reimbursable, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Uncompahgre, etc., Utes, Utah.
Irrigating allotted lands.
34 Stat. 375.
Reimbursable.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat., p. 375), $20,000, reimbursable, together with $38,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Yakima Reservation, Wash.
Wapato system, maintenance, etc.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, $1,000, reimbursable, together with $156,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Reimbursement of fund for water to reservation lands.
38 Stat 604.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat., p. 604), $14,000.

Wind River Reservation, Wyo
Maintenance, etc.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro-rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, $30,000, reimbursable, together with $16,500 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Riverton-Le Clair district.
Big Bend district.

Irrigation and drainage.
Construction, maintenance, etc.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed

Use of revenues.

by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes.

Revolving fund for loans to Indian corporations.
48 Stat. 986.

Making loans, etc.
49 Stat. 1967.

Services and supplies.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian chartered corporations in accordance with the Act of June 18, 1934 (48 Stat., p. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat., p. 1967), $520,000, of which amount not to exceed $125,000 shall be available for personal services in the District of Columbia and in the field, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than $2,500 for printing and binding.

Indian arts and crafts.
49 Stat. 891.

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat., p. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States, while absent from their homes, not to exceed $2,500 for printing and binding, and other necessary expenses, $42,500, of which not to exceed $16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding $7,500 per annum.

Indian Arts and Crafts Board, expenses.

Printing and binding.
Services in the District.
Proviso.
Salary restriction.

Water supply.

DEVELOPMENT OF WATER SUPPLY

Developing and conserving, in Arizona and New Mexico

Developing water supply: For developing and conserving water for domestic and stock purposes on lands of the Navajo and Hopi Indians in Arizona and New Mexico, the Papago Indians in Arizona, and the Pueblo Indians of New Mexico, including the purchase and installation of pumping machinery, and other necessary equipment, and for operation and maintenance thereof, $70,000.

Irrigation and drainage.

IRRIGATION AND DRAINAGE

Construction, maintenance, etc.

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Projects.

Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

Miscellaneous projects, $23,000; Arizona: Ak Chin, $4,000; Chiu Chui, $4,000; Ganado, $1,500, together with $1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous

projects, Arizona and New Mexico, $6,500; Salt River, $5,000; San Xavier, $2,000; California: Coachella Valley, $1,000; Morongo, $4,000; Pala and Rincon, $2,000, together with $2,000, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Colorado: Southern Ute, $11,000, together with $4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Nevada: Pyramid Lake, $3,000; Walker River, $5,000; Western Shoshone, $4,000; New Mexico: Miscellaneous Pueblos, $25,000; Washington: Colville, $3,500, together with $500, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Lummi Diking Project, $1,000, together with $2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act;

Administrative expenses.

For necessary miscellaneous expenses incident to the general administration of Indian irrigation projects, including pay of employees and their traveling and incidental expenses, $60,000;

Total; reimbursable.

In all, for irrigation on Indian reservations, not to exceed $175,000, reimbursable: *Provided*, That the foregoing amounts shall be available interchangeably, in the discretion of the Secretary of the Interior, for the necessary expenditures for damages by floods and other unforeseen exigencies, but the amount so interchanged shall not exceed in the aggregate 10 per centum of all the amounts so appropriated: *Provided further*, That the cost of irrigation projects and of operating and maintaining such projects where reimbursement thereof is required by law shall be apportioned on a per-acre basis against the lands under the respective projects and shall be collected by the Secretary of the Interior as required by such law, and any unpaid charges outstanding against such lands shall constitute a first lien thereon which shall be recited in any patent or instrument issued for such lands.

Provisos.
Amounts interchangeable.

Limitation.

Apportionment of expenses on per-acre basis.

Unpaid charges a first lien.

San Carlos project, Ariz.
Maintenance, etc.

For operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, including not to exceed $2,000 for purchase of land, $76,300, reimbursable, together with $112,200 (operation and maintenance collections) and $161,000 (power revenues), of which latter sum not to exceed $25,000 shall be available for major repairs in case of unforeseen emergencies caused by fire, flood, or storm, from which amounts $112,200 and $161,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, $349,500.

Emergencies.

Limitation.

48 Stat. 1227.
31 U. S. C. § 725c.

Pima Indians, Ariz.
Subjugation and cropping operations on lands of.

For continuing subjugation and for cropping operations on the lands of the Pima Indians in Arizona, there shall be available so much as may be necessary of the revenues derived from these operations and deposited into the Treasury of the United States to the credit of such Indians, and such revenues are hereby made available for payment of irrigation operation and maintenance charges assessed against tribal or allotted lands of said Pima Indians in accordance with tribal resolution of June 16, 1937, and subject to the approval of the Secretary of the Interior, the Pima Indians are hereby authorized to employ an attorney and an accountant for the purpose of advising them in connection with the legality and equity of these operation and maintenance assessments at a cost of not to exceed $2,000 including all expenses connected therewith payable from tribal funds.

Irrigation operation, etc., charges.

Employment of attorney and accountant.

Shannon County, S. Dak.
Appropriation continued available
49 Stat. 1773.
Pine Ridge high school.

The appropriation of $125,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, and continued available by the Act of June 22, 1936 (49 Stat., p. 1773), for cooperating with the public-school board of Shannon County, South Dakota, for the construction of a consolidated public high-school building at Pine Ridge, South Dakota, is hereby made available until June 30, 1938, for the same purposes and under the same conditions as specified in the said Act of June 22, 1936.

Glacier County, Mont.
Improvement and extension of school buildings.
49 Stat. 327

The appropriation of $100,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperating with public school districts in Glacier County, Montana, in the improvement and extension of school buildings to be available to both Indian and white children, as authorized by the Act of June 7, 1935 (49 Stat. L. 327), is hereby made available under the same conditions as specified in the said Second Deficiency Appropriation Act until June 30, 1938, for improvement and extension of school buildings in rural communities in District Numbered 9, Glacier County, as well as other public school districts within said county.

Stevens County, Wash.
School construction, etc.
49 Stat. 1273.
Provisos.
Plans and specifications.

For cooperation with Wellpinit School District No. 49, Stevens County, Washington, for the construction and equipment of a public-school building in the vicinity of Wellpinit, Washington, as authorized by the Act of May 15, 1936 (49 Stat., p. 1273), $75,000: *Provided*, That plans and specifications for construction and equipment shall be furnished by local or State authorities, without cost to the United States, and upon approval thereof by the Commissioner of Indian Affairs, actual work shall proceed under the direction of such local or State officials. Payment for work in place shall be made monthly, on vouchers properly certified by local officials of the Indian Service: *Provided further*, That any amount expended hereunder shall be recouped by the United States within a period of thirty years, commencing with the date of occupancy of the project, through reducing the annual Federal tuition payments for the education of Indian pupils enrolled in public or high schools of the district involved, or by the acceptance of Indian pupils in such school without cost to the United States; and in computing the amount of recoupment for such project, interest at 3 per centum per annum shall be included on unrecouped balances.

Monthly payments.

Recoupment.

Nonreservation boarding schools.
Support, etc., of designated.

For support and education of Indian pupils at the following nonreservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Ariz.

Phoenix, Arizona: For four hundred pupils, including not to exceed $1,500 for printing and issuing school paper, $142,000; for pay of superintendent, drayage, and general repairs and improvements, $25,000; in all, $167,000;

Sherman Institute, Riverside, Calif.

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $23,500; in all, $244,500;

Haskell Institute, Lawrence, Kans.

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed $2,500 for printing and issuing school paper, $212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, $24,000; for purchase of printing equipment, $6,500; in all, $243,000;

Pipestone, Minn.

Pipestone, Minnesota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $16,000; in all, $113,750;

Carson City, Nev.

Carson City, Nevada: For five hundred and twenty-five pupils, $168,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $186,500;

Albuquerque, N. Mex.

Albuquerque, New Mexico: For six hundred pupils, $204,000; for pay of superintendent, drayage, and general repairs and improvements, $24,000; in all, $228,000;

Santa Fe, N. Mex.

Santa Fe, New Mexico: For four hundred pupils, $142,000; for drayage, and general repairs and improvements, $13,000; in all, $155,000;

Wahpeton, N. Dak

Wahpeton, North Dakota: For three hundred pupils, $97,250; for pay of superintendent, drayage, and general repairs and improvements, $13,000; in all, $110,250;

Chilocco, Okla

Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed $2,000 for printing and issuing school paper, $221,000; for pay of superintendent, drayage, and general repairs and improvements, $24,000; for purchase of printing equipment, $6,000; in all, $251,000;

Sequoyah Orphan Training School, Okla.

Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, $114,250; for pay of superintendent, drayage, and general repairs and improvements, $14,000; in all, $128,250;

Carter Seminary, Okla.

Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, $57,525; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $64,525;

Euchee, Okla.

Euchee, Oklahoma: For one hundred and fifteen pupils, $41,025; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $48,025;

Eufaula, Okla.

Eufaula, Oklahoma: For one hundred and forty pupils, $48,650; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $55,650;

Jones Academy, Okla.

Jones Academy, Oklahoma: For one hundred and seventy-five pupils, $61,125; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $68,125;

Wheelock Academy, Okla.

Wheelock Academy, Oklahoma: For one hundred and thirty pupils, $45,050; for pay of principal, drayage, and general repairs and improvements, $7,000; in all, $52,050;

Chemawa, Salem, Oreg.

Chemawa, Salem, Oregon: For three hundred and fifty pupils, including not to exceed $1,000 for printing and issuing school paper, $121,750; for local vocational-training program directed from the school, $20,500; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $160,250;

Flandreau, S. Dak.

Flandreau, South Dakota: For four hundred and fifty pupils, $159,750; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $177,750;

Pierre, S. Dak.

Pierre, South Dakota: For three hundred pupils, $97,750; for pay of superintendent, drayage, and general repairs and improvements, $18,000; in all, $115,750: *Provided*, That the amount available during the fiscal year 1937 for the acquisition of lands adjacent to this school is hereby continued available for the same purpose until June 30, 1938;

Proviso.
Acquisition of adjacent lands.
49 Stat. 1775.

Total, nonreservation boarding schools.

In all, for above-named nonreservation boarding schools, not to exceed $2,569,375: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

Proviso.
Sums interchangeable.

Report to Congress.

Five Civilized Tribes, Okla.
Pupils attending public or Indian day schools.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the

Quapaw Agency in Oklahoma, $397,200, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That not to exceed $21,500 may be expended for the payment of salaries of public-school teachers employed by the State, county, or district in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Proviso. Employment of public school teachers where facilities inadequate.

Alaska natives, education. 49 Stat. 1775.

For an additional amount for education of natives of Alaska, fiscal year 1937, to remain available until June 30, 1938, $55,000, and the limitation in the Interior Department Appropriation Act for the fiscal year 1937 on the amount which may be expended under this head for freight and operation and repair of vessels is hereby increased from $65,000 to $120,000.

Support, relief of destitution, etc.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, $690,000, to be immediately available and to remain available until June 30, 1939: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

Miscellaneous expenses.

Proviso. Report to Congress.

CONSERVATION OF HEALTH

Conservation of health.

Designated expenses.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding $25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, $4,595,690, including not to exceed $3,332,220 for the following-named hospitals and sanatoria:

Suppressing trachoma, etc. Allotments to specified hospitals.

Arizona.

Arizona: Indian Oasis Hospital, $25,220; Kayenta Sanatorium, $52,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, $158,780; Phoenix Sanatorium, $86,900; Pima Hospital, $27,600; Truxton Canyon Hospital, $14,000; Western Navajo Hospital, $38,300; Chin Lee Hospital, $15,000; Fort Apache Hospital, $29,700; Hopi Hospital, $40,000; Leupp Hospital, $27,800; San Carlos Hospital, $32,300; Tohatchi Hospital, $17,200; Colorado River Hospital, $23,000; San Xavier Sanatorium, $42,500; Phoenix Hospital, $42,000; Winslow Sanatorium, $45,960;

California.

California: Hoopa Valley Hospital, $25,000; Soboba Hospital, $22,000; Fort Bidwell Hospital, $20,600; Fort Yuma Hospital, $20,000;

Colorado.

Colorado: Ute Mountain Hospital, $15,000; Edward T. Taylor Hospital, $26,700;

Idaho: Fort Lapwai Sanatorium, $90,000; Fort Hall Hospitals, $17,000; Idaho.

Iowa: Sac and Fox Sanatorium, $75,000; Iowa.

Minnesota: Pipestone Hospital, $22,500; Cass Lake Hospital, $30,000; Fond du Lac Hospital, $20,000; Red Lake Hospital, $20,000; White Earth Hospital, $20,000; Minnesota.

Mississippi: Choctaw Hospital, $25,000; Mississippi.

Montana: Blackfeet Hospital, $40,000; Fort Peck Hospital, $26,400; Crow Agency Hospital, $34,000; Fort Belknap Hospital, $30,000; Tongue River Hospital, $28,000; Montana.

Nebraska: Winnebago Hospital, $47,000; Nebraska

Nevada: Carson Hospital, $23,000; Walker River Hospital, $23,000; Western Shoshone Hospital, $20,000; Nevada

New Mexico: Albuquerque Sanatorium, $104,660; Jicarilla Hospital and Sanatorium, $61,000; Mescalero Hospital, $24,000; Eastern Navajo Hospital, $32,000; Northern Navajo Hospital, $39,700; Taos Hospital, $20,000; Zuni Hospital, $50,000; Albuquerque Hospital, $53,100; Charles H. Burke Hospital, $24,000; Santa Fe Hospital, $49,000; Toadlena Hospital, $13,000; New Mexico.

North Carolina: Cherokee Hospital, $22,000; North Carolina.

North Dakota: Turtle Mountain Hospital, $41,600; Fort Berthold Hospital, $18,000; Fort Totten Hospital, $23,000; Standing Rock Hospital, $38,000; Fort Totten Preventorium, $20,000; North Dakota

Oklahoma: Cheyenne and Arapahoe Hospital, $36,000; Choctaw and Chickasaw Sanatorium and General Hospital, $105,000; Shawnee Sanatorium, $100,000; Claremore Hospital, $76,300; Clinton Hospital, $20,000; Pawnee and Ponca Hospital, $36,000; Kiowa Hospital, $122,700; William W. Hastings Hospital, $37,500; Oklahoma

Oregon: Warm Springs Hospital, $20,000; Oregon

South Dakota: Crow Creek Hospital, $22,000; Pine Ridge Hospitals, $50,000; Rosebud Hospital, $40,000; Yankton Hospital, $23,000; Cheyenne River Hospital, $35,000; Sioux Sanatorium, $75,000; Sisseton Hospital, $35,000; South Dakota.

Utah: Uintah Hospital, $30,000; Utah.

Washington: Yakima Sanatorium, $40,000; Tacoma Sanatorium, $210,000; Tulalip Hospital, $12,600; Colville Hospital, $35,000; Washington.

Wisconsin: Hayward Hospital, $40,600; Tomah Hospital, $31,000; Wisconsin.

Wyoming: Shoshone, $28,000: Wyoming.

Provided, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per-diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation. *Provisos.* Sums interchangeable. Report to Congress. Hospitalization of pupils.

Sioux Sanatorium and employees' quarters, South Dakota: Funds made available by the Second Deficiency Appropriation Act, fiscal year 1935, and the Interior Department Appropriation Act, fiscal year 1937, for the construction of an Indian sanatorium and employees' quarters, in South Dakota, are hereby continued available for the same purposes until June 30, 1938. Sioux Sanatorium, etc., S. Dak. 49 Stat. 584, 1777.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service, to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, Medical relief in Alaska.

Hospitals, etc.

rental, and equipment of hospital buildings; not to exceed $1,000 for purchase of land; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, $370,000, to be available immediately and to remain available until June 30, 1939.

Availability.

General support and administration.

GENERAL SUPPORT AND ADMINISTRATION

Sundry agencies and reservations.

For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, $2,604,600.

General support, additional amount.

For an additional amount for general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, fiscal year 1937, $80,000.

Metlakahtla Indians, Alaska, expenses.

For pay of employees, village improvements, relief of destitution, and such other purposes as may be requested by the town council of Metlakahtla, Annette Islands Reserve, Alaska, and approved by the Secretary of the Interior, $50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Proviso
Limitation.
48 Stat. 1227.
31 U. S. C. § 725c.

Reindeer service.

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees in Alaska, travel expenses of employees of the Indian Service while performing duties in Alaska for the reindeer service, travel expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, expenses of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, including $3,000 for the purchase and distribution of reindeer, $35,500, to be immediately available.

Purchase, distribution, etc., to natives.
Balance reappropriated.
49 Stat. 213.

The unexpended balance of the appropriation of $755 contained in the Interior Department Appropriation Act, fiscal year 1936, for the purchase and distribution of reindeer to natives in Alaska is hereby made available for the same purposes during the fiscal years 1937 and 1938.

Specified agencies, from tribal funds.

For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona.

Arizona: Fort Apache, $90,000, of which not to exceed $40,000 may be used for the establishment of a tribal herd, including the construction of necessary buildings; San Carlos, $45,700; Truxton Canyon, $6,500; in all, $142,200;

California.

California: Mission, $15,000; Hoopa Valley, $2,500; in all, $17,500;

Idaho.

Idaho: Fort Hall, $4,800;

Iowa.

Iowa: Sac and Fox, $2,000;

Montana.

Montana: Flathead, $20,000;

Nevada.

Loans to Indians, etc.

Nevada: Carson (Walker River $600, Summit Lake, $7,000, Pyramid Lake, $20,000), $27,600, which amount shall be available for loans to Indians and for such other purposes as may be recommended by the tribes and approved by the Commissioner of Indian Affairs; Western Shoshone, $5,000; in all, $32,600;

North Carolina: Cherokee, $18,000, together with the unexpended balance under this head for the fiscal year 1937;

North Carolina.
Balance reappropriated.
49 Stat. 1778.

Oregon: Klamath, $76,650, of which $4,000 shall be available only for traveling and other expenses, including not to exceed $5 per diem in lieu of subsistence, of members of the tribal council, or of representatives of the tribe engaged on business of the tribe at the seat of government; and $6,500 shall be available only for compensation and expenses of attorneys for services rendered and to be rendered during the fiscal years 1937 and 1938 under a contract approved by the Secretary of the Interior, in accordance with existing law;

Oregon.
Tribal council, traveling, etc., expenses.

Utah: Uintah and Ouray, $7,100, of which amount not to exceed $3,000 shall be available for the payment of an agent employed under a contract, approved by the Secretary of the Interior;

Utah.

Washington: Puyallup, $1,000 for upkeep of the Puyallup Indian cemetery; Taholah (Quinaielt), $17,800, together with the unexpended balance under this head for the fiscal year 1937; (Neah Bay), $7,500, together with the unexpended balance under this head for the fiscal year 1937 ($4,000 for monthly allowances for care of old and indigent Indians, additional for water supply, $2,500, and $1,000 for burial expenses); Yakima, $250; Tulalip, $1,000; Swinomish, $500; in all $28,050;

Washington.
Balance reappropriated.
49 Stat. 1778.
Indigent, etc., Indians, monthly allowances.
Water supply.

Wisconsin: Keshena, $85,500, including $20,000 for monthly allowances, under such rules and regulations as the Secretary of the Interior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends: *Provided*, That not more than $14,000 of this appropriation may be used for fees and expenses of attorneys employed under contract, approved by the Secretary of the Interior, during the fiscal years 1936, 1937, and 1938.

Wisconsin.
Proviso.
Attorneys' fees, etc.

In all, not to exceed $434,400.

Support of Chippewa Indians in Minnesota (tribal funds): For general support, administration of property, and promotion of self-support among the Chippewa Indians in the State of Minnesota, $44,000, to be paid from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat., p. 645), of which amount not to exceed $40,000 may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public or high schools.

Chippewas in Minnesota.
General support, from tribal funds.
25 Stat. 645.
Aiding indigent, etc.

For compensation and expenses of an attorney or attorneys employed by the Chippewa tribe under a contract, approved by the Secretary of the Interior on April 15, 1937, $10,000, payable from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the state of Minnesota", approved January 14, 1889 (25 Stat., p. 645), of which so much as may be necessary shall be available for compensation earned and expenses incurred during the fiscal year 1937.

Attorneys.
25 Stat. 645.

There is hereby authorized to be expended out of the fund "Interest on Judgment Court of Claims, Creek Indian Nation", now standing to the credit of the Creek Nation of Indians in the Treasury of the United States, the sum of not exceeding $2,000 to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Creek Nation of Indians employed under the authority of the Act of Congress approved May 24, 1924 (43 Stat. 139), the payments

Payments to attorneys for Creek Nation, from tribal funds.
43 Stat. 139.

to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Creek Nation of Indians against the United States under the above-mentioned Act of May 24, 1924: *Provided further*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior.

Proviso.
Filing of claims by attorneys.

Five Civilized Tribes, Okla.
Expenses of tribal officers, from tribal funds.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and $3,000 for the said mining trustee, chief of the Creek Nation at $600 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed $2,500 each.

Proviso.
Limitation.

Osage Agency, Okla.
Agency, etc., expenses.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, $189,180, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: *Provided*, That not more than $500 of the foregoing amount may be used for defraying the cost of an appeal in the case of Tucker versus Mullendore: *Provided further*, That not more than $1,800 may be used for the employment of a curator for the Osage Museum, which employee shall be an Osage Indian and shall be appointed without regard to civil-service laws and regulations upon the recommendation of the Osage tribal council.

Provisos.
"Tucker v. Mullendore", appeal costs.

Employment of curator for Museum.

Tuskahoma Council House, Pushmataha County, Okla.
Acquisition, etc.

Fund available.

49 Stat. 1779.

For acquisition, rehabilitation, and preservation of the Tuskahoma Council House in Pushmataha County, Choctaw Nation, Oklahoma, $10,000 or so much thereof as may be necessary, payable from the fund "Fulfilling treaties with Choctaws, Oklahoma" now to the credit of the Choctaw Indians of Oklahoma, and the unexpended balance of the appropriation for this purpose contained in the Interior Department Appropriation Act, fiscal year 1937, is hereby continued available until June 30, 1938.

Tribal councils, traveling, etc., expenses.

Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed $5 per diem in lieu of subsistence, and not to exceed five cents per mile for use of personally owned automobiles, and including visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, $50,000,

payable from funds on deposit to the credit of the particular tribe interested: *Provided*, That, except for the Navajo Tribe, not more than $5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: *Provided further*, That no part of this appropriation shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a longer period.

Provisos
Limitation on expenditures.

Allowances for expenses of tribal councils when in Washington.

For compensation and expenses of William H. Fuller and Melven Cornish for services rendered the Chickasaw Nation of Oklahoma, under the terms of a contract approved by the Secretary of the Interior on May 13, 1935, in the case of the Choctaw Nation versus the United States and the Chickasaw Nation in the United States Court of Claims, case numbered J–231, $15,000, or so much thereof as may be necessary, payable from funds on deposit to the credit of the Chickasaw Nation of Indians.

William H. Fuller and Melven Cornish.
Compensation, etc

ROADS AND BRIDGES

Roads and bridges.

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, $20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Gallup-Shiprock Highway, N. Mex., maintenance, etc.
Proviso
Indian labor.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (U. S. C., title 25, sec. 318a), and June 16, 1936 (49 Stat., p. 1521), $3,000,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $11,200 of the foregoing amount may be expended for personal services in the District of Columbia: *Provided further*, That not to exceed $100,000 of this appropriation shall be available for purchase, lease, construction or repair of structures for housing road materials, supplies and equipment; and for quarters for road crews but the cost of any structure erected hereunder shall not exceed $7,500.

Reservation roads, construction, etc.

45 Stat 750; 49 Stat 1521
25 U. S. C. § 318a; Supp II, § 318b.
Provisos.
Services in the District.
Structures for housing materials, etc.

For cooperation by the Indian Service in the construction of a highway through the Owyhee Canyon connecting the Western Shoshone Reservation in Nevada with the reservoir which is a part of the reservation irrigation project, $40,000.

Connecting highway through Owyhee Canyon, Nev.

CONSTRUCTION AND REPAIR

Construction and repair.

For the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

School, agency, hospital, etc., buildings.

Alaska: Day schools and quarters, including remodeling of existing buildings, $119,000; hospitals and quarters, $186,000;

Alaska

Blackfeet, Montana: Remodeling and repairing school buildings, $30,000;

Blackfeet, Mont.

Carson, Nevada: Central heating plant, and rehabilitation of power-distribution lines, $80,000; school building and gymnasium, Walker River, $37,500;

Carson, Nev.

Cheyenne and Arapahoe, Oklahoma: Improvement to heating system, $20,000;

Cheyenne and Arapahoe, Okla.

Cheyenne River, South Dakota: Classroom building, $90,600;

Cheyenne River, S. Dak.

Claremore Hospital, Oklahoma: Employees' quarters, $30,000;

Claremore Hospital, Okla.

Colorado River, Arizona: Telephone line, $8,500; improvement of water supply, $21,000;

Colorado River, Ariz.

Colville, Wash

Colville, Washington: Improvement of water supply, $30,000;

Consolidated Ute, Colo.

Consolidated Ute, Colorado: Nurses' home, $15,000; employees' building, $20,000;

Crow, Mont

Crow, Montana: Improvement of water system, $10,000;

Five Civilized Tribes, Okla.

Five Civilized Tribes, Oklahoma: Improvement of sewer and water systems, Wheelock Academy, $5,000; improvement of sewer system, Jones Academy, $5,000;

Flandreau, S. Dak

Flandreau, South Dakota: Improvement of sewer system, $20,000;

Flathead, Mont

Flathead, Montana: Two dwellings, $16,000;

Fort Berthold, N. Dak.

Fort Berthold, North Dakota: Improvement of water system, $15,000; remodeling hospital, $8,500;

Great Lakes, Wis.

Great Lakes, Wisconsin: Repairs to hospital, Hayward, $14,900; school building, Lac du Flambeau, $147,500;

Keshena, Wis.

Keshena, Wisconsin: Day school building, $5,000;

Kiowa, Okla.

Kiowa, Oklahoma: Riverside, dormitory facilities, $73,000; one cottage, $6,000; Fort Sill, school building, $73,000; one physicians' cottage, $7,500; improvements to sewer system, $20,000;

Navajo, Ariz.

Navajo, Arizona: General headquarters, employees' building, $72,500; Crown Point, hospital and quarters, $193,000; Fort Defiance, central heating and power plant, $145,000;

Pipestone, Minn.

Pipestone, Minnesota: Improvement of water system, $12,500;

Pueblos of New Mexico.

Pueblos of New Mexico: For remodeling the Albuquerque school hospital, $22,500;

Red Lake, Minn

Red Lake, Minnesota: Improvement of water system, $12,500;

Rosebud, S. Dak

Rosebud, South Dakota: Improvement of sewer system, $20,000;

Seminole, Fla.

Seminole, Florida: One dwelling, $6,000;

Shoshone, Wyo.

Shoshone, Wyoming: Improvement of quarters, $58,000;

Tacoma Sanatorium, Wash.

Tacoma Sanatorium, Washington: Improvement of water system, $8,000;

Tongue River, Mont

Tongue River, Montana: Birney day school, including sewer and water systems, and light plant, $30,000;

Turtle Mountain, N. Dak

Turtle Mountain, North Dakota: Day school facilities, $62,500;

Truxton Canyon, Ariz.

Truxton Canyon, Arizona: Improvement of heating system, $10,000;

Uintah and Ouray, Utah.

Uintah and Ouray, Utah: Central heating plant, $50,000; improvement of sewer and water systems, $25,000;

Wahpeton, N. Dak.

Wahpeton, North Dakota: Improvement of heating system, $10,000;

Western Shoshone, Nev.

Western Shoshone, Nevada: Improvement of sewer and water systems, $15,000;

Winnebago, Nebr.

Winnebago, Nebraska: General repairs, $6,000;

Administrative expenses

For administrative expenses, including personal services in the District of Columbia and elsewhere; not to exceed $2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, $175,000; in all, $2,047,500, to be immediately available and to remain available until June 30, 1939.

Annuities and per capita payments.

ANNUITIES AND PER CAPITA PAYMENTS

Senecas, N. Y. 4 Stat. 442.

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat., p. 442), $6,000.

Six Nations, N. Y. 7 Stat. 46.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), $4,500.

Choctaws, Okla. 7 Stat. 99, 212, 213, 236; 11 Stat. 614.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty

of June 22, 1855), $3,000; for permanent annuity for support for light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), $600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), $320; in all, $10,520.

Pawnees, Okla.
11 Stat. 729; 27 Stat. 644.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), $30,000.

Indians of Sioux reservations.
25 Stat. 895.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat., p. 895), as amended, $150,000.

Saint Croix Chippewas, Wis.
41 Stat. 433; 49 Stat. 1780.

The unexpended balances of appropriations made for the benefit of the Saint Croix Chippewa Indians of Wisconsin by the Act of February 14, 1920 (41 Stat., p. 433), and subsequent Acts, and made available by the Interior Department Appropriation Act, fiscal year 1937, for the purchase of material for the repair of homes, for the care of aged and indigent Indians of this band, and for other necessary purposes for their benefit, are hereby continued available for the same purposes until expended.

Menominee Indians in Wisconsin.
Per capita payments.

The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States $105,000 of any funds on deposit to the credit of the Menominee Indians in Wisconsin (except the Menominee Log Funds), and to expend said sum, or so much thereof as may be necessary, for a per-capita payment of $50 to each enrolled member of the Menominee Tribe: *Provided*, That such payment shall be in lieu of the payment authorized by the Act of June 15, 1934 (48 Stat., p. 964), for the fair market stumpage value of timber cut on the Menominee Reservation during the fiscal year 1937: *Provided further*, That in the discretion of the Secretary of the Interior the payment herein authorized may be made in two installments.

Provisos.
Payments in lieu of previously authorized payments.
48 Stat. 964.

Installments.

Interest on trust funds.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, $500,000.

Central garages, etc.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including nonreservation boarding schools and for conservation of health among Indians shall be available for the maintenance and operation of central garages and shops, including the purchase of parts and supplies, and such appropriations may be reimbursed for services rendered or supplies furnished by such garages or shops to any activity of the Indian Service.

Field service employees.
Funds for, available for supplies.

When, in the judgment of the Secretary of the Interior, it is necessary for accomplishment of the purposes of appropriations herein made for the Indian field service, such appropriations shall be available for purchase of ice, for rubber boots for use of employees, for travel expenses of employees on official business, and for the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station.

Traveling expenses, new appointees, etc.

The appropriations for education of natives of Alaska and medical relief in Alaska shall be available for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

Reclamation Bureau.

BUREAU OF RECLAMATION

Payments, from reclamation fund.
32 Stat. 388.
43 U. S. C. §§ 391, 411.

The following sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (U. S. C., title 43, secs. 391, 411), and therein designated "the reclamation fund", to be available immediately:

Commissioner, office personnel, and other expenses.

Salaries and expenses: For the Commissioner of Reclamation and other personal services in the District of Columbia, $115,000; for travel and other necessary expenses, $35,000, including not to exceed $15,000 for printing and binding; in all, $150,000;

Printing and binding.

Administrative provisions and limitations.
32 Stat. 388
43 U. S. C. § 391.

Administrative provisions and limitations: For all expenditures authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures from said fund are authorized, including not to exceed $100,000 for personal services and $15,000 for other expenses in the office of the chief engineer, $20,000 for telegraph, telephone, and other communication service, $5,000 for photographing and making photographic prints, $41,250 for personal services, and $7,500 for other expenses in the field legal offices; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; not to exceed $15,000 for lithographing, engraving, printing, and binding; purchase of

Vehicles.

ice; purchase of rubber boots for official use by employees; maintenance and operation of horse-drawn and motor-propelled passenger vehicles; not to exceed $20,000 for purchase and exchange of horse-drawn and motor-propelled passenger-carrying vehicles; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regu-

Property damages.

lations to be prescribed by the Secretary of the Interior; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works, and which may be compromised by agreement between the claimant and the Secretary of the Interior, or such officers as he may designate; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the

Attendance at meetings, etc.

Secretary of the Interior; not to exceed $1,000 for expenses, except membership fees, of attendance, when authorized by the Secretary, upon meetings of technical and professional societies required in connection with official work of the Bureau; payment of rewards, when specifically authorized by the Secretary of the Interior, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*,

Provisos
Medical services for employees.

That the Secretary of the Interior in his administration of the Bureau of Reclamation is authorized to contract for medical attention and service for employees and to make necessary pay-roll deductions agreed to by the employees therefor: *Provided further*,

Restriction where district is in arrears.

That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and which is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and which are in arrears for more than twelve months in the payment of any charges due from said lands to the United States;

Examination and inspection of projects and operation and maintenance of reserved works: For examination of accounts and inspection of the works of various projects and divisions of projects operated and maintained by irrigation districts or water users' associations, and bookkeeping, accounting, clerical, legal, and other expenses incurred in accordance with contract provisions for the repayment of such expenses by the districts or associations; and for operation and maintenance of the reserved works of a project or division of a project when irrigation districts, water users' associations, or Warren Act contractors have contracted to pay in advance but have failed to pay their proportionate share of the cost of such operation and maintenance, to be expended under regulations to be prescribed by the Secretary of the Interior, $10,000;

Examination and inspection of projects.

Maintenance, etc., of reserved works

Yuma project, Arizona-California: For operation and maintenance, $73,000: *Provided*, That not to exceed $25,000 from the power revenues shall be available during the fiscal year 1938 for the operation and maintenance of the commercial system;

Yuma project, Ariz.-Calif.
Proviso.
Operating commercial system

Orland project, California: For operation and maintenance, $33,000;

Orland, Calif

Boise project, Idaho: For operation and maintenance, $30,000;

Boise, Idaho

Minidoka project, Idaho: For operation and maintenance, reserved works, $11,600: *Provided*, That not to exceed $65,000 from the power revenues shall be available during the fiscal year 1938 for the operation of the commercial system; and not to exceed $100,000 from power revenues shall be available during the fiscal year 1938 for continuation of construction, south side division;

Minidoka, Idaho.
Proviso.
Operating commercial system.
South side division, construction.

North Platte project, Nebraska-Wyoming: Not to exceed $60,000 from the power revenues shall be available during the fiscal year 1938, for the operation and maintenance of the commercial system; and not to exceed $6,000 from power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (U. S. C., title 43, sec. 501), shall be available during the fiscal year 1938 for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water;

North Platte, Nebr.-Wyo.
Operating commercial system.
Payment to Farmers' district for water.
43 Stat. 703.
43 U. S. C. § 501.

Rio Grande project, New Mexico-Texas: For operation and maintenance, $350,000: *Provided*, That the Secretary of the Interior is hereby authorized to enter into a contract with the El Paso County Water Improvement District Numbered 1 and the Elephant Butte Irrigation District of New Mexico by which the districts will be relieved of the obligation of making payment of the construction cost chargeable to the development of power of Elephant Butte Dam in the amount determined as equitable by the Secretary of the Interior in return for the conveyance by the said two districts to the United States of all the districts' right, title, interest, and estate in the use of said dam and other project works, including the project water supply, for the development of hydroelectric energy: *Provided further*, That in such contracts it shall be stated that the use of the dam, project works, and water supply for power purposes shall not deplete or interfere with the use thereof for irrigation purposes: *Provided further*, That the net earnings of the power plant and system belonging to the United States and any other available revenues shall be applied, until the cost thereof has been met, upon the cost of the power development, including (1) the cost of power facilities, (2) the amount invested, as herein authorized, in the cost of Elephant Butte Dam, and (3) the amount invested by the Bureau of Reclamation in Caballo Dam: *Provided further*, That after the cost of the power development has been met the net earnings of the power plant and system shall be disposed of as Congress may direct.

Rio Grande, N. Mex.-Tex.
Provisos.
Contract for title, etc., to dam.

Water for power not to deplete use for irrigation.

Use of earnings.

Disposition of net earnings after meeting cost.

Owyhee, Oreg.
Klamath, Oreg.-Calif.
Proviso.
Revenues from Tule Lake division

Owyhee project, Oregon: For operation and maintenance, $75,000;

Klamath project, Oregon-California: For operation and maintenance, $54,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Yakima, Wash.
Proviso.
Power system.

Yakima project, Washington: For operation and maintenance, $265,000: *Provided*, That not to exceed $25,000 from power revenues shall be available during the fiscal year 1938 for operation and maintenance of the power system;

Riverton, Wyo.
Proviso
Operating commercial system.

Riverton project, Wyoming: For operation and maintenance, $40,000: *Provided*, That not to exceed $25,000 from the power revenues shall be available during the fiscal year 1938 for the operation and maintenance of the commercial system;

Shoshone, Wyo.
Proviso.
Operating commercial system.

Shoshone project, Wyoming: For operation and maintenance, Willwood division, $15,000: *Provided*, That not to exceed $25,000 from power revenues shall be available during the fiscal year 1938 for the operation and maintenance of the commercial system;

Secondary and economic investigations.

Secondary and economic investigations: For cooperative and general investigations, including investigations necessary to determine the economic conditions and financial feasibility of projects and investigations and other activities relating to the reorganization, settlement of lands, and financial adjustments of existing projects, including examination of soils, classification of land, land-settlement activities, including advertising in newspapers and other publications, and obtaining general economic and settlement data, $10,000 together with the unexpended balance of the appropriation for these purposes for the fiscal year 1937: *Provided*, That the expenditures from this appropriation for any reclamation project shall be considered as supplementary to the appropriation for that project and shall be accounted for and returned to the reclamation fund as other expenditures under the Reclamation Act: *Provided further*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigation;

Provisos.
Expenses considered supplementary; accounting.

Division of expenses for investigations.

Operation and maintenance administration.

Operation and maintenance administration: For necessary pay of employees, traveling and other expenses incident to the general administration of reclamation projects, either operated and maintained by the Bureau or transferred to water users' organizations for operation and maintenance, including giving information and advice to settlers on reclamation projects in the selection of lands, equipment, and livestock, the preparation of land for irrigation, the selection of crops, methods of irrigation and agricultural practice, and general farm management, the cost of which shall be charged to the general reclamation fund and shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the projects, $50,000;

Information to settlers.

Limitation of expenditures.

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1938, on any reclamation project appropriated for herein, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1938 exceed the whole amount in the reclamation fund for the fiscal year;

Interchange of appropriations.

Interchange of appropriations: Ten per centum of the foregoing amounts shall be available interchangeably for expenditures on the

reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary of the Interior;

Emergency flood repairs

Construction: For continuation of construction of the following projects in not to exceed the following amounts, respectively, to be expended from the Reclamation Fund under the same general conditions and in the same manner and for the same objects of expenditure as specified for projects hereinbefore in this Act under the caption "Bureau of Reclamation", and to be reimbursable under the reclamation law:

Construction of designated projects.

Gila project, Arizona, $700,000; said Gila project, including the waters to be diverted and used thereby and the lands and structures for the diversion and storage thereof, to be subject to the provisions of the Boulder Canyon Project Act of December 21, 1928, and subject to and controlled by the provisions of the Colorado River Compact signed at Santa Fe, New Mexico, November 24, 1922;

Gila, Ariz.

45 Stat 1057

Salt River project, Arizona, $500,000;

Salt River, Ariz.

Orland project, California: For construction and other work authorized by section 5 of the Act of June 24, 1936 (49 Stat. 1907), $35,000;

Orland, Calif
49 Stat. 1907.

Colorado-Big Thompson project, Colorado: For construction in accordance with the plan described in Senate Document Numbered 80, Seventy-fifth Congress, $900,000: *Provided*, That no construction thereof shall be commenced until the repayment of all costs of the project shall, in the opinion of the Secretary of the Interior, be assured by appropriated contracts with water conservancy districts, or irrigation districts or water users' associations organized under the laws of Colorado, or other form of organization satisfactory to the Secretary of the Interior;

Colorado-Big Thompson, Colo.

Proviso.
Repayment of costs.

Pine River project, Colorado, $500,000;

Pine River, Colo.

Boise project, Idaho, Payette division, $1,000,000;

Boise, Payette division, Idaho.

Sun River project, Montana, $300,000;

Sun River, Mont.

Carlsbad project, New Mexico, $200,000;

Carlsbad, N. Mex.

Owyhee project, Oregon, $500,000;

Owyhee, Oreg.

Klamath project, Oregon-California, $125,000;

Klamath, Oreg.-Calif.

Belle Fourche project, South Dakota, $130,000;

Belle Fourche, S. Dak.

Ogden River project, Utah, $250,000;

Ogden River, Utah.

Provo River project, Utah, $750,000;

Provo River, Utah.

Yakima project, Washington, Roza division, $1,500,000;

Yakima, Roza division, Wash.

Casper-Alcova project, Wyoming, $650,000: *Provided*, That in recognition of the respective rights of both the States of Colorado and Wyoming to the amicable use of the waters of the North Platte River, neither the construction, maintenance, nor operation of said project shall ever interfere with the present vested rights or the fullest use hereafter for all beneficial purposes of the waters of said stream or any of its tributaries within the drainage basin thereof in Jackson County, in the State of Colorado, and the Secretary of the Interior is hereby authorized and directed to reserve the power by contract to enforce such provisions at all times: *Provided further*, That from and after the passage of this Act, the reclamation project heretofore known as the Casper-Alcova project shall be known and designated on the public records as the Kendrick project, and that the change in the name of said project shall in no wise affect the rights of the State of Wyoming or the State of Colorado or any county, municipality,

Casper-Alcova, Wyo.

Provisos.
Rights of States recognized.

Casper-Alcova project; designation changed to Kendrick.

corporation, association, or person, and all records, surveys, maps, and public documents of the United States or of either of said States in which said project is mentioned or referred to under the name of the Casper-Alcova project shall be held to refer to said project under and by the name of the Kendrick project;

Riverton, Wyo.

Riverton project, Wyoming, $200,000;

Shoshone, Wyo.

Shoshone project, Wyoming: Heart Mountain division, $700,000: Willwood division, $10,000; in all, $710,000;

Colorado River Basin investigations, $150,000;

Colorado River Basin investigations

Administrative expenses

For administrative expenses on account of the above projects, including personal services and other expenses in the District of Columbia and in the field $750,000, in addition to and for the same objects of expenditure as are hereinbefore enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, $9,850,000: *Provided*, That of this amount not to exceed $75,000 may be expended for personal services in the District of Columbia.

Ante, p. 592.

Proviso.
Services in the District

The unexpended balances of the amounts appropriated from the reclamation fund, special fund, under the caption "Bureau of Reclamation, Construction", in the Interior Department Appropriation Act, fiscal year 1937, shall remain available for the same purposes for the fiscal year 1938.

Construction, special fund.
Balances reappropriated.
49 Stat. 1784.

Total, from reclamation fund, $11,016,600.

Yuma project, Ariz.-Calif.

To defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California, subject only to section 4 of the Act entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved January 21, 1927 (44 Stat., p. 1010), $15,000, together with the unexpended balance of the appropriation for the fiscal year 1937.

Colorado River front work and levee system.

44 Stat. 1016.
Balance reappropriated.
49 Stat. 1783.

Boulder Canyon project.

Boulder Canyon project: For the continuation of construction of the Boulder Canyon Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (U. S. C., title 43, ch. 12A); $2,550,000, to be immediately available and to remain available until advanced to the Colorado River Dam fund, of which sum not exceeding $50,000 shall be immediately available for the construction of a schoolhouse in Boulder City; and there shall also be available from power and other revenues not to exceed $500,000 for operation and maintenance of the Boulder Canyon Dam, power plant, and other facilities; which amounts of $2,550,000 and $500,000 shall be available for personal services in the District of Columbia (not to exceed $25,000) and in the field and for all other objects of expenditure that are specified for projects hereinbefore included in this Act, under the caption "Bureau of Reclamation, Administrative provisions and limitations", without regard to the amounts of the limitations therein set forth.

Construction, etc.
49 Stat. 1784.

Acquisition of lands, etc.

45 Stat. 1057.
43 U. S. C., ch. 12A.
Availability.

Boulder Canyon project (All-American Canal).

Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary

Construction, etc.

Acquisition of lands.

for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (U. S. C., title 43, ch. 12A); to be immediately available and to remain available until advanced to the Colorado River Dam Fund, $1,500,000, which amount shall be available for personal services in the District of Columbia (not to exceed $5,000) and in the field and for all other objects of expenditure that are specified for projects hereinbefore included in this Act under the caption "Bureau of Reclamation, administrative provisions and limitations", without regard to the amounts of the limitations therein set forth.

45 Stat 1057.
43 U. S C., ch 12A.

For continuation of construction of the following projects and for general investigations in not to exceed the following amounts, respectively, to be expended from the general fund of the Treasury in the same manner and for the same objects of expenditure as specified for projects included hereinbefore in this Act under the caption "Bureau of Reclamation", and to be reimbursable under the reclamation law:

Construction and investigations of specified projects, reimbursable.

Central Valley project, California, $12,500,000, together with the unexpended balance of the appropriation for this project contained in the First Deficiency Act, fiscal year 1936;

Central Valley, Calif.

Grand Coulee Dam, Washington: For continuation of construction of Grand Coulee Dam and appurtenant works, $13,000,000, together with the unexpended balance of the appropriation for this dam contained in the Interior Department Appropriation Act, fiscal year 1937;

Grand Coulee Dam, Wash.
Ante, p. 210

49 Stat 1784.

For general investigations, $200,000 to enable the Secretary of the Interior, through the Bureau of Reclamation, to carry on engineering and economic investigations of proposed Federal reclamation projects, surveys for reconstruction, rehabilitation, or extension of existing projects and studies of water conservation and development plans, such investigations, surveys, and studies to be carried on by said Bureau either independently, or, if deemed advisable by the Secretary of the Interior, in cooperation with State agencies and other Federal agencies, including the Corps of Engineers, National Resources Committee, and the Federal Power Commission;

General investigations

For administrative expenses on account of the above projects, including personal services in the District of Columbia and in the field, $750,000, in addition to and for the same objects of expenditure as are hereinbefore enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, $26,450,000: *Provided*, That of this amount not to exceed $75,000 may be expended for personal services in the District of Columbia.

Administrative expenses.

Proviso
Services in the District.

The Public Works Administration allotments made available to the Department of the Interior, Bureau of Reclamation, pursuant to the National Industrial Recovery Act of June 16, 1933, either by direct allotments or by transfer of allotments originally made to another Department or agency, and the allocations made to the Department of the Interior, Bureau of Reclamation, from the appropriation contained in the Emergency Relief Appropriation Act of April 8, 1935, shall remain available for the purposes for which allotted during the fiscal year 1938.

Public Works Administration allotments, etc., continued available

GEOLOGICAL SURVEY

Geological Survey.

SALARIES

For the Director of the Geological Survey and other personal services in the District of Columbia, $140,000.

Salaries.

GENERAL EXPENSES

General expenses.

For every expenditure requisite for and incident to the authorized work of the Geological Survey, including personal services in the District of Columbia and in the field, including not to exceed $30,000 for the purchase and exchange, and not to exceed $55,000 for

Vehicles

the hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for field use only by geologists, topographers, engineers, and land classifiers, and the Geological Survey is authorized to exchange unserviceable and worn-out passenger-carrying and freight-carrying vehicles as part payment for new freight-carrying vehicles, and including not to exceed $3,000

Traveling expenses.

for necessary traveling expenses of the Director and members of

Attendance at meetings.

the Geological Survey acting under his direction, for attendance upon meetings of technical, professional, and scientific societies when required in connection with the authorized work of the Geological Survey, to be expended under the regulations from time to time prescribed by the Secretary of the Interior, and under the following heads:

Topographic surveys.

Topographic surveys: For topographic surveys in various portions of the United States, $650,000, of which amount not to exceed $250,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: *Provided further*, That $217,000 of this amount shall be available only for such cooperation with States or municipalities;

Provisos.
Cooperation with States, etc.

Allotment for cooperation.

Geologic surveys.

Geologic surveys: For geologic surveys in the various portions of the United States and chemical and physical researches relative thereto, $500,000, of which not to exceed $300,000 may be expended for personal services in the District of Columbia;

Alaska, mineral resources

Mineral resources of Alaska: For continuation of the investigation of the mineral resources of Alaska, $60,000, to be available immediately, of which amount not to exceed $25,000 may be expended for personal services in the District of Columbia;

Gaging streams; investigations.

Gaging streams: For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, $900,000, of which amount not to exceed $100,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: *Provided further*, That $700,000 of this amount shall be available only for such cooperation with States or municipalities;

Provisos.
Division of expenses.

Allotment for cooperation.

Classification of lands as to mineral character, etc.

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public-land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the

Secretary of the Interior; and for performance of work of the Federal Power Commission, $100,000, of which amount not to exceed $60,000 may be expended for personal services in the District of Columbia;

Printing and binding

Printing and binding, and so forth: For printing and binding, $120,000; for preparation of illustrations, $22,000; and for engraving and printing geologic and topographic maps, $120,000; in all, $262,000;

Nonmetallic Mineral Acts
Enforcing provisions.
38 Stat. 742, 41 Stat. 437, 1363
48 U. S. C. §§ 435, 444, 30 U. S. C. §§ 141, 181.

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (U. S. C., title 48, sec. 435), October 2, 1917 (U. S. C., title 30, sec. 141), February 25, 1920 (U. S. C., title 30, sec. 181), as amended, and March 4, 1921 (U. S. C., title 48, sec. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, $315,000, of which amount not to exceed $60,000 may be expended for personal services in the District of Columbia;

Cooperative work on scientific, etc., investigations for government agencies.

During the fiscal year 1938 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations and requiring cooperative work by the Geological Survey on scientific and technical investigations within the scope of the functions of that bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Geological Survey such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Geological Survey for the performance of work for the department or establishment from which the transfer is made: *Provided*, That any sums transferred by any department or independent establishment of the Government to the Geological Survey for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended: *Provided further*, That any funds herein appropriated for the Geological Survey for cooperative work may be utilized prior to July 1, 1937, as required to enable the Geological Survey to continue its cooperative work pending reimbursement from cooperative agencies, the amount so utilized to be repaid to the appropriation from which advanced;

Credit of funds

Provisos.
Expenditure of transferred funds.

Cooperative work; availability.

Aerial photographs for mapping projects

During the fiscal year 1938, upon the request of the Secretary of the Interior, the Secretary of War or the Secretary of the Navy is authorized to furnish aerial photographs required for mapping projects, insofar as the furnishing of such photographs will be economical to the Federal Government and does not conflict with military or naval operations or the other parts of the regular training program of the Army, Navy, and Marine Corps flying services, and the Secretary of the Interior is authorized to reimburse the War or Navy Department for the cost of making the photographs, such cost to be confined to the actual cost of gasoline, oil, film, paper, chemicals, and the labor performed in developing the photographic negatives and the printing of copies of photographs, and the per-diem expenses of the personnel authorized by law, together with such incidental expenses as care and minor repairs to plane and transportation of personnel to and from projects, and the War Department or the Navy Department, on request of the Department of the Interior, is authorized to furnish copies to any State, county, or municipal agency

cooperating with the Federal Government in the mapping project for which the photographs were taken. In the event that the Director of the Geological Survey deems it advantageous to the Government, the Geological Survey is authorized to contract with civilian aerial photographic concerns for the furnishing of such photographs;

Contracts with civilians.

Transporting effects of employees.

Appropriations herein made shall be available for payment of the costs of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior;

Total, United States Geological Survey, $2,927,000.

Bureau of Mines.

BUREAU OF MINES

SALARIES AND GENERAL EXPENSES

Salaries and expenses.

Salaries and general expenses: For general expenses, including pay of the Director and necessary assistants, clerks, and other employees, in the office in the District of Columbia and in the field, and every other expense requisite for and incident to the general work of the Bureau in the District of Columbia and in the field, to be expended under the direction of the Secretary of the Interior, $65,500, of which amount not to exceed $52,000 may be expended for personal services in the District of Columbia.

Mine rescue cars and stations
Investigation of accidents, etc.

Operating mine rescue cars and stations and investigation of mine accidents: For the investigation and improvement of mine rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other inquiries and technologic investigations pertinent to the mining industry; the exchange in part payment for operation, maintenance, and repair of mine rescue trucks; the construction of temporary structures and the repair, maintenance, and operation of mine rescue cars and the Government-owned mine rescue stations and appurtenances thereto; personal services, traveling expenses and subsistence, equipment, and supplies; travel and subsistence, and other incidental expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; purchase not exceeding $6,000, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, rubber boots, aprons, and such other articles or equipment as may be necessary in connection with the purposes of this paragraph; including not to exceed $67,100 for personal services in the District of Columbia, $624,000: *Provided*, That of this amount not to exceed $500 may be expended for the purchase and bestowal of trophies in connection with mine-rescue and first-aid contests;

Attendance at meetings, etc.

Vehicles.

Proviso.
Rescue trophies.

Testing fuel.

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the depart-

ments, establishments, or institutions of the United States in the District of Columbia, $250,400, of which amount not to exceed $29,400 may be expended for personal services in the District of Columbia;

Mineral mining investigations: For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels, with a view to improving health conditions and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; and including all equipment, supplies, expenses of travel and subsistence, and the purchase, not to exceed $12,000, including exchange, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work, including not to exceed $24,700 for personal services in the District of Columbia, $270,860: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party;

Mineral mining investigations.

Proviso.
Private investigations, restriction

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, including economic conditions affecting the industry, with a view to economic development and conserving resources through the prevention of waste; for the purchase of newspapers relating to the oil, gas, and allied industries: *Provided*, That section 192 of the Revised Statutes (U. S. C., title 5, sec. 102) shall not apply to such purchase of newspapers from this appropriation; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, purchase, not to exceed $6,000, exchange as part payment for, maintenance, and operation of motor-propelled passenger-carrying vehicles for official use in field work, purchase of laboratory gloves, goggles, rubber boots, and aprons, $253,000, of which amount not to exceed $22,600 may be expended for personal services in the District of Columbia;

Oil and gas investigations.

Proviso.
Purchase of newspapers, etc.
R. S. § 192
5 U. S. C. § 102

Mining experiment stations: For the employment of personal services, purchase of laboratory gloves, goggles, rubber boots and aprons, the purchase not to exceed $3,000, exchange as part payment for, maintenance and operation of motor-propelled passenger-carrying vehicles for official use in field work, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act authorizing additional mining experiment stations, approved March 3, 1915 (U. S. C., title 30, sec. 8), $359,000, of which appropriation not to exceed $17,100 may be expended for personal services in the District of Columbia;

Mining experiment stations.

38 Stat. 959.
30 U. S. C. § 8.

Buildings and grounds, Pittsburgh, Pennsylvania: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, the purchase, exchange as part payment for, operation, maintenance, and repair of passenger automobiles for official use, and all other expenses requisite for and incident thereto, including not to exceed $5,000 for additions and improvements, $87,690;

Pittsburgh, Pa., station, maintenance, etc.

Economics of mineral industries: For inquiries and investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral

Economics of mineral industries.
Investigations, etc.

Reports.

Statistical inquiries.

commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; and including personal services in the District of Columbia and elsewhere; purchase of furniture and equipment; stationery and supplies; typewriting, adding and computing machines, accessories and repairs; newspapers; traveling expenses; purchase, not exceeding $1,200, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; and for all other necessary expenses not included in the foregoing, $300,000, of which amount not to exceed $225,000 may be expended for personal services in the District of Columbia;

Services in the District

Helium production and investigations.
Ante, pp. 111, 456

Helium production and investigations: The sums made available for the fiscal year 1938 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1, 1937, for operation and maintenance of the plants for the production of helium for military and naval purposes, including laboratory gloves, goggles, rubber boots, and aprons; purchase, not to exceed $2,500, and exchange as part payment for, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, and all other necessary expenses, and including $11,300 for personal services in the District of Columbia;

Gas production for helium plants.

Gas production for helium plants: For production of natural gas for helium plants, including construction, repair, maintenance, and operation of wells, pipe lines, and other facilities therefor, and including purchase, not to exceed $750, and exchange as part payment for, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, $12,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934;

Proviso.
Limitation on expenditures
48 Stat. 1227.

Scientific investigations for departments, etc

During the fiscal year 1938 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the Bureau of Mines on scientific investigations within the scope of the functions of that Bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Bureau of Mines such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Bureau of Mines for the performance of work for the department or establishment from which the transfer is made: *Provided*, That any sums transferred by any department or independent establishment of the Government to the Bureau of Mines for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended;

Transfer of sums.

Proviso.
Expenditure.

Minor purchases without advertising.

The purchase of supplies and equipment or the procurement of services for the Bureau of Mines, at the seat of government, as well as in the field outside of the District of Columbia, may be made in open market without compliance with section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) of the United States, in the manner common among business men, when the aggregate amount of the purchase or the service does not exceed $100 in any instance;

R. S. § 3709.
41 U. S. C. § 5

Traveling expenses; attendance at meetings, etc

For necessary traveling expenses of the director and employees of the Bureau, acting under his direction, for attendance upon meetings of technical, professional, and scientific societies, when required in

connection with the authorized work of the Bureau of Mines and incurred on the written authority of the Secretary of the Interior, there is hereby made available from any appropriations made to the Bureau of Mines not to exceed in all $3,000;

Detail of field employees.

Persons employed during the fiscal year 1938 in field work outside of the District of Columbia under the Bureau of Mines may be detailed temporarily for service in the District of Columbia for purposes of preparing results of their field work; all persons so detailed shall be paid in addition to their regular compensation only traveling expenses in going to and returning therefrom: *Provided*, That nothing herein shall prevent the payment to employees of the Bureau of Mines of their necessary expenses, or per diem in lieu of subsistence, while on temporary detail in the District of Columbia for purposes only of consultation or investigations on behalf of the United States. All details made hereinunder, and the purposes of each, during the preceding fiscal year shall be reported in the annual estimates of appropriations to Congress at the beginning of each regular session thereof;

Proviso. Payment of employees' expenses

Report of details to Congress.

Details from Public Health Service.

The Secretary of the Treasury may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines;

Traveling expenses, on transfer from one station to another.

Appropriations for the fiscal year 1938 available for expenses of travel of officers and employees of the Bureau of Mines shall be available for expenses of travel performed by them on transfer from one official station to another when authorized by the Secretary of the Interior, and for the expenses incurred in packing, crating, drayage, and transportation of household effects and other personal property of employees so transferred, under regulations to be prescribed by the Secretary of the Interior;

Transportation of household goods, etc.

Total, Bureau of Mines, $2,222,450.

NATIONAL PARK SERVICE

National Park Service.

Director, and office personnel.

Accounting services.

Salaries: For the Director of the National Park Service and other personal services in the District of Columbia, including accounting services in checking and verifying the accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national park and national monument purposes and members of the commission appointed under the provisions of the Act of February 21, 1925 (43 Stat., p. 959): *Provided*, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883, $196,940, of which amount not to exceed $23,680 may be expended for the services of field employees engaged in examination of lands and in developing the educational work of the National Park Service.

Specialists and experts.

43 Stat. 959
Proviso. Employment without reference to Classification, etc., Acts.
5 U. S. C. §§661–674; 631–652.

Field employees.

General expenses.

General expenses: For every expenditure requisite for and incident to the authorized work of the office of the Director of the National Park Service not herein provided for, including traveling expenses, telegrams, photographic supplies, prints, and motion-picture films, necessary expenses of attendance at meetings concerned with the work of the National Park Service when authorized by the Secretary of the Interior, and necessary expenses of field employees engaged in examination of lands and in developing the educational

Proviso
Field employees attending meetings.

work of the National Park Service, $27,000: *Provided*, That necessary expenses of field employees in attendance at such meetings, when authorized by the Secretary, shall be paid from the various park and monument appropriations.

National Parks, administration, etc.
Acadia, Maine.
George B. Dorr.
5 U. S. C. §§ 691–693, 697–731

Acadia National Park, Maine: For administration, protection, and maintenance, including $3,000 for George B. Dorr as superintendent without regard to the requirements of the provisions of the Civil Service Retirement Act approved May 22, 1920 (U. S. C., title 5, secs. 691–693, 697–731), as amended, $3,000 for temporary clerical services for investigation of titles and preparation of abstracts thereof of lands donated to the United States for inclusion in the Acadia National Park, and not exceeding $1,700 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $47,710.

Vehicles.

Bryce Canyon, Utah

Bryce Canyon National Park, Utah: For administration, protection, and maintenance, including not exceeding $300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with the general park work, $12,350.

Carlsbad Caverns, N. Mex.

Carlsbad Caverns National Park, New Mexico: For administration, protection, and maintenance, including not exceeding $800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, and including not to exceed $23,000 for remodeling the power plant, $103,000.

Crater Lake, Oreg.

Crater Lake National Park, Oregon: For administration, protection, and maintenance, including not exceeding $1,410 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $73,730.

General Grant, Calif.

General Grant National Park, California: For administration, protection, and maintenance, including not exceeding $850 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, $17,570.

Glacier, Mont.

Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding $3,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $189,120.

Grand Canyon, Ariz.

Grand Canyon National Park, Arizona: For administration, protection, and maintenance, including not exceeding $1,750 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $118,500.

Grand Teton, Wyo.

Grand Teton National Park, Wyoming: For administration, protection, and maintenance, including not exceeding $1,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $25,530.

Great Smoky Mountains, N. C.-Tenn.

Great Smoky Mountains National Park, North Carolina and Tennessee: For administration, protection, and maintenance, including not to exceed $1,200 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for use in connection with general park work, $76,500.

Hawaii National Park: For administration, protection, and maintenance, including not exceeding $1,600 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $50,100. Hawaii.

Hot Springs National Park, Arkansas: For administration, protection, maintenance, and improvement, including not exceeding $1,450 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $72,500. Hot Springs, Ark.

Lassen Volcanic National Park, California: For administration, protection, and maintenance, including not exceeding $1,450 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, and including not to exceed $1,000 for the maintenance of approach roads through the Lassen National Forest, $35,000. Lassen, Calif.

Mesa Verde National Park, Colorado: For administration, protection, and maintenance, including not exceeding $750 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $55,540: *Provided*, That the unexpended balance of the appropriation of $10,000 contained in the First Deficiency Appropriation Act, fiscal year 1936, for improvement of the water system, is continued available for the same purposes for the fiscal year 1938. Mesa Verde, Colo.

Proviso.
Water system, improvement.
49 Stat. 1622

Mount McKinley National Park, Alaska: For administration, protection, and maintenance, including not exceeding $1,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $29,000. Mount McKinley, Alaska.

Mount Rainier National Park, Washington: For administration, protection, maintenance, and improvement, including not exceeding $1,450 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, and including not exceeding $6,000 for the construction of a utility building, in all, $141,480. Mount Rainier, Wash.

Platt National Park, Oklahoma: For administration, protection, and maintenance, including not exceeding $300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $20,600. Platt, Okla.

Rocky Mountain National Park, Colorado: For administration, protection, and maintenance, including not exceeding $2,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $82,000. Rocky Mountain, Colo.

Sequoia National Park, California: For administration, protection, and maintenance, including not exceeding $1,650 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work and including maintenance and repair of the Generals Highway between the boundaries of Sequoia and General Grant National Parks, $104,100. Sequoia, Calif.

Shenandoah National Park, Virginia: For administration, protection, and maintenance, including not exceeding $1,650 for the purchase, maintenance, operation, and repair of motor-driven passenger- Shenandoah, Va.

carrying vehicles for the use of the superintendent and employees in connection with general park work, $58,000.

Wind Cave, S. Dak.

Wind Cave National Park, South Dakota: For administration, protection, and maintenance, including not exceeding $900 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $18,520.

Yellowstone, Wyo.

Yellowstone National Park, Wyoming: For administration, protection, and maintenance, including not exceeding $6,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding $15,000 for maintenance of the roads in the national forests leading out of the park from the east, southwest, and south boundaries, and including feed for buffalo and other animals and salaries of buffalo keepers, $411,000.

Yosemite, Calif.

Yosemite National Park, California: For administration, protection, and maintenance, including not exceeding $2,250 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding $1,000 for maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetch Hetchy Road near Mather Station, and including necessary expenses of a comprehensive study of the problems relating to the use and enjoyment of the Yosemite National Park and the preservation of its natural features, $301,600.

Zion, Utah.

Zion National Park, Utah: For administration, protection, and maintenance, including not exceeding $1,120 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $40,450.

National monuments, administration, etc.

National monuments: For administration, protection, maintenance, and preservation of national monuments, including not exceeding $5,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the custodians and employees in connection with general monument work, $205,600.

Homestead National Monument of America, Nebr.

Homestead National Monument of America, Nebraska: For acquisition of land and development and improvement of the monument in accordance with the provisions of the Act of March 19, 1936 (49 Stat., p. 1184), $24,000.

Oregon Caves, Oreg.

Oregon Caves National Monument, Oregon: For the improvement of the lighting system, including the purchase and installation of equipment and supplies, at Oregon Caves National Monument, Oregon, $20,000.

National historical parks and monuments, administration.

National historical parks and monuments: For administration, protection, maintenance, and improvement, including not exceeding $2,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, $127,000.

National military parks, battlefields, etc.

National military parks, battlefields, monuments, and cemeteries: For administration, protection, maintenance, and improvement, including not exceeding $6,800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, $300,660.

Kennesaw Mountain, Ga.
49 Stat. 423.

Kennesaw Mountain National Battlefield Park, Georgia: To carry out the purposes of the Act entitled, "An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes", approved June 26, 1935 (49 Stat. 423), $30,000.

Boulder Dam Recreational Area, Arizona and Nevada: For administration, protection, and maintenance of the recreational activities of the Boulder Dam Recreational Area and any lands that may be added thereto by Presidential or other authority, including not exceeding $300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, $45,000: *Provided*, That not to exceed $15,000 of funds available for the purpose may be expended to recompense Six Companies, Incorporated, for a hospital building erected on Government-owned land at Boulder City, Nevada.

Boulder Dam Recreational Area, Ariz.-Nev

Proviso
Six Companies, Inc, repayment.

Emergency reconstruction and fighting forest fires in national parks: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in national parks or national monuments that are damaged or destroyed by flood, fire, storm, or other unavoidable causes during the fiscal year 1938, and for fighting or emergency prevention of forest fires in national parks or other areas administered by the National Park Service, or fires that endanger such areas, $40,000, and in addition thereto the unexpended balance for this purpose for the fiscal year 1937 is continued available during the fiscal year 1938, together with not to exceed $100,000 to be transferred upon the approval of the Secretary of the Interior from the various appropriations for national parks and national monuments herein contained, any such diversions of appropriations to be reported to Congress in the annual Budget: *Provided*, That the allotment of these funds to the various national parks or areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary of the Interior, and then only after the obligation for the expenditure has been incurred.

Emergency reconstruction and fighting forest fires.

Balance continued available.
49 Stat. 1794.

Proviso.
Restriction on allotment.

Forest protection and fire prevention: For the control and the prevention of spread of forest insects and tree diseases and for fire-prevention measures, including equipment, and personal services in the District of Columbia (not to exceed $15,000) and elsewhere, $100,000, to be immediately available.

Forest protection and fire prevention, insect, etc, control.

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably and shall be reported to Congress in the annual Budget.

Accounting

Proviso
Sums interchangeable.

Appropriations herein made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein and for the services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary, in his discretion, may designate.

Lectures, etc.

Appropriations herein made for the Department of the Interior shall be available for the purchase, maintenance, operation, and repair of vehicles generally known as quarter-ton or half-ton pick-up trucks without such trucks being considered as passenger-carrying vehicles and without the cost of purchase, maintenance, operation, and repair being included in the limitation in the various appropriation items for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles.

Trucks, etc.

Appropriations herein made for the National Park Service shall be available for the installation and operation of telephones in Government-owned residences, apartments, or quarters occupied by employees of the National Park Service, provided the Secretary determines the provision of such services are advantageous in the administration of these areas.

Telephone installations, etc.

Roads and trails, construction, etc.

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam Recreational Area, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (U. S. C., title 16, secs. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, $4,500,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed $60,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1938.

46 Stat. 1053
16 U. S. C. §§ 8a, 8b

Proviso.
Services in the District.

Blue Ridge and Natchez Trace Parkways.

Blue Ridge and Natchez Trace Parkways: For continuing the construction and maintenance, under the provisions of section 5 of the Act of June 16, 1936 (49 Stat., pp. 1519–1522), of the Blue Ridge and Natchez Trace Parkways, to be immediately available and remain available until expended, $6,000,000, of which amount not to exceed $40,000 shall be available for personal services in the District of Columbia: *Provided*, That $1,500,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said Parkway in each respective State.

49 Stat 1520.

Proviso.
Allotments to designated States.

Historic sites and buildings.
49 Stat 666.

Historic sites and buildings: For carrying out the provisions of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat., p. 666), $24,000.

Water rights, investigation, etc.

Investigation and purchase of water rights: For the investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national parks and monuments, and including not to exceed $500 for the maintenance, operation, and repair of one passenger-carrying vehicle, $25,000.

Public buildings and grounds, D. C.
Maintenance, etc.
Post, p. 765.

Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia under the jurisdiction of the National Park Service, including the National Archives Building; per-diem employees at rates of pay approved by the Director, not exceeding current rates for similar services in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and carfare; leather and rubber articles and gas masks for the protection of public property and employees; arms and ammunition for the guard force; not exceeding $13,000 for uniforms for employees; and the purchase, maintenance, repair, exchange, storage, and operation of four motor-propelled passenger-carrying vehicles; $7,137,280, of which amount not to exceed $5,036,980 shall be available for personal services in the District of Columbia and not to exceed $500,000 shall be available for major repairs and improvements to public buildings, monuments, memorials, and grounds in the District of Columbia: *Provided*, That the Superintendent of Meters of the Department of the Interior shall

Miscellaneous expenses.

Vehicles.

Services in the District.

Proviso.
Statement of Government meters.

hereafter take the statement of the meters of the several department buildings in the city of Washington, and render to the General Accounting Office the consumption of gas and electricity each month in said buildings respectively.

Administration, etc., outside the District.

Salaries and expenses, public buildings outside the District of Columbia: For administration, protection, and maintenance, including improvement, repair, cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, personal services, arms, ammunition, leather and rubber articles and gas masks for the protection of public property and employees, and every expenditure requisite for and incidental to such maintenance and operation of public buildings outside of the District of Columbia under the jurisdiction of the National Park Service, $569,000: *Provided*, That not to exceed $5,040 of the amount herein appropriated may be expended for personal services in the District of Columbia.

Proviso. Services in the District.

National Capital parks. Salaries and expenses.

Salaries and expenses, National Capital parks: For administration, protection, maintenance, and improvement of the Mount Vernon Memorial Highway, Arlington Memorial Bridge, George Washington Memorial Parkway, Federal parks in the District of Columbia, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat., 482), including the pay and allowances in accordance with the provisions of the Act of May 27, 1924, as amended, of the police force for the Mount Vernon Memorial Highway and the George Washington Memorial Parkway, and the purchase of one passenger-carrying automobile and operation, maintenance, repair, exchange, and storage of three automobiles, revolvers, ammunition, uniforms, and equipment, per-diem employees at rates of pay approved by the Director not exceeding current rates for similar services in the District of Columbia, the hire of draft animals with or without drivers at local rates approved by the Director, traveling expenses and carfare, and leather and rubber articles for the protection of public property and employees, $176,000.

46 Stat. 482. 43 Stat. 174.

Vehicles.

Miscellaneous expenses.

OFFICE OF EDUCATION

Office of Education.

SALARIES

Salaries.

For the Commissioner of Education and other personal services in the District of Columbia, $266,400.

Commissioner, and office personnel.

GENERAL EXPENSES

General expenses.

Travel, attendance at meetings, etc.

For necessary traveling expenses of the Commissioner and employees acting under his direction, including attendance at meetings of educational associations, societies, and other organizations; for compensation, not to exceed $500, of employees in field service; for purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; and other expenses not herein provided for, $16,000.

Libraries of educational institutions. Surveys, reports, etc., of.

For making surveys, studies, investigations, and reports regarding public, school, college, university, and other libraries; fostering coordination of public and school library service; coordinating library service on the national level with other forms of adult education; developing library participation in Federal projects; fostering Nation-wide coordination of research materials among the more scholarly libraries, inter-State library cooperation, and the development of public, school, and other library service throughout the

country, and for the administrative expenses incident to performing these duties, including salaries of such assistants, experts, clerks, and other employees in the District of Columbia and elsewhere, as the Commissioner of Education may deem necessary, necessary traveling expenses, including attendance at meetings of educational associations, societies, and other organizations, purchase of miscellaneous supplies, equipment, stationery, typewriters, and exchange thereof, postage on foreign mail, purchase of books of reference, law books, and periodicals, printing and binding, and all other necessary expenses, $25,000.

Attendance at meetings, etc.

Agriculture and the mechanic arts.
Further endowment of colleges of.

Further endowment of colleges of agriculture and the mechanic arts: For carrying out the provisions of section 22 of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (49 Stat., p. 436), $1,980,000.

49 Stat. 436.

Vocational education.

VOCATIONAL EDUCATION

Salaries and expenses.

Salaries and expenses: For carrying out the provisions of section 7 of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917, as amended by the Act of October 6, 1917 (U. S. C., title 20, sec. 15), and of section 4 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., p. 1488), $425,000.

39 Stat. 933; 40 Stat. 345.
20 U. S. C. § 15.

49 Stat. 1489.
20 U. S. C., Supp. II, § 15k.

Further development in States and Territories.

Further development of vocational education: For carrying out the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat., p. 1488–1490), $14,483,000.

49 Stat. 1488.
20 U. S. C., Supp. II, §§ 15h–j.

Extending benefits to Hawaii.

For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917 (U. S. C., title 20, secs. 11–18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (U. S. C., title 20, sec. 29), $30,000.

39 Stat. 929; 43 Stat. 18.
20 U. S. C. §§ 11–18, 29.

Extending benefits to Puerto Rico.

For extending to Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917 (U. S. C., title 20, secs. 11–18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (U. S. C., title 20, secs. 11–18; title 29, secs. 31–35; U. S. C., title 20, sec. 30), $105,000.

39 Stat. 929; 46 Stat. 1489.
20 U. S. C. §§ 11–18; 29 U. S. C. §§ 31–35; 20 U. S. C. § 30.

Cooperative vocational rehabilitation of persons disabled in industry.

Cooperative vocational rehabilitation of persons disabled in industry: For carrying out the provisions of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment", approved June 2, 1920 (U. S. C., title 29, sec. 35), as amended by the Act of June 5, 1924 (U. S. C., title 29, sec. 31), and the Acts of June 9, 1930, and June 30, 1932 (U. S. C., title 29, secs. 31–40), and section 531 (a) of the Act of August 14, 1935 (49 Stat., p. 620), $1,800,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed $1,938,000, as authorized by the Acts approved June 2, 1920, June 5, 1924, June 9, 1930, June 30, 1932, and August 14, 1935.

41 Stat. 735; 43 Stat. 431; 46 Stat. 524; 47 Stat. 448.

29 U. S. C. §§ 31–40.

49 Stat. 620.

Proviso.
Basis of apportionment.

Salaries and expenses, vocational rehabilitation: For carrying out the provisions of section 6 of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry, and so forth", approved June 2, 1920 (U. S. C., title 29, sec. 35), and the Acts of June 5, 1924 (U. S. C., title 29, sec. 31), June 9, 1930, and June 30, 1932 (U. S. C., title 29, secs. 31, 40), and August 14, 1935 (49 Stat. 620), and for carrying out the provisions of the Act entitled "An Act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes", approved June 20, 1936 (49 Stat., p. 1559, 1560), $95,000.

Salaries and expenses, vocational rehabilitation.

29 U. S. C. §§ 35, 31, 40.
49 Stat. 620.
29 U. S. C., Supp. II, § 45b.
Operation of stands in Federal buildings by blind persons.
49 Stat. 1559.

Cooperative vocational rehabilitation of disabled residents of the District of Columbia: For personal services, printing and binding, travel and subsistence, and payment of expenses of training, placement, and other phases of rehabilitating disabled residents of the District of Columbia under the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia", approved February 23, 1929 (45 Stat., p. 1260), $15,000.

Cooperative vocational rehabilitation of disabled residents of District of Columbia.

45 Stat. 1260.

Promotion of vocational rehabilitation of persons disabled in industry in Hawaii: For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry", approved June 2, 1920, as amended (U. S. C., title 29, secs. 31–44), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (U. S. C., title 29, sec. 45), $5,000.

Provisions extended to Hawaii.

41 Stat. 735; 43 Stat. 18.
29 U. S. C. §§ 31–45.

Promotion of vocational rehabilitation of persons disabled in industry in Puerto Rico: For extending to the island of Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry", approved June 2, 1920, as amended (U. S. C., title 29, secs. 31–44), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (U. S. C., title 29, sec. 45a), $15,000.

Extending benefits to Puerto Rico.
39 Stat. 930; 46 Stat. 1489.
29 U. S. C. §§ 31–44, 45a.

Not to exceed an aggregate of $3,000 of appropriations available to the Office of Education for salaries and expenses for vocational education shall be used for expenses of attendance at meetings of educational associations and other organizations which in the discretion of the Commissioner of Education are necessary for the efficient discharge of its responsibilities.

Attendance at meetings.

GOVERNMENT IN THE TERRITORIES

Government in the Territories.

TERRITORY OF ALASKA

Alaska.

Salaries of the Governor and of the secretary, $15,600.

Governor and secretary.

For incidental and contingent expenses of the offices of the Governor and the secretary of the Territory, clerk hire, not to exceed $7,520; janitor service for the Governor's office and the executive mansion, not to exceed $3,180; traveling expenses of the Governor while absent from the capital on official business and of the secretary of the Territory while traveling on official business under direction of the Governor; repair and preservation of Governor's house and furniture; for care of grounds and purchase of necessary equipment; stationery, lights, water, and fuel; in all, $14,810, to be expended under the direction of the Governor.

Incidental and contingent expenses.

Public schools, establishment, etc.
Proviso.
Limitation on expenditures.
48 Stat 1227

For the establishment and maintenance of public schools, Territory of Alaska, $50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Care of insane.

Provisos.
Payments to institutions authorized.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation of medical supervisor, transportation, burial, and other expenses, $190,600: *Provided*, That authority is granted to the Secretary of the Interior to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, not to exceed $600 per capita per annum to and including January 15, 1938, and, thereafter, the per-capita rate of the lowest responsible bidder, for the care and maintenance of Alaskan insane patients during the fiscal year 1938: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary of the Interior shall, as soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

Ascertaining and returning inmates, not legal residents, to their legal residence, etc.

Roads, bridges, trails, etc., repair and maintenance.

48 U. S. C. §§ 321a-321c.

For the repair and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of Public Resolution Numbered 218, approved June 30, 1932 (U. S. C., title 48, secs. 321a–321c), $535,000, including not to exceed $2,000 for repair and maintenance of Government wharf at Juneau, Alaska, to be immediately available.

Road, etc., construction.

Proviso.
Limitation on expenditures.
48 Stat. 1227.

For the construction, repair, and maintenance of roads, tramways, bridges, trails, and aviation fields, Territory of Alaska, $130,000, to be available until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Alaska Railroad, maintenance, etc.

Operation, etc., of vessels.

The Alaska Railroad: The revenues of the Alaska Railroad received during the fiscal year 1938 shall be available, and continue available until expended, for every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding $100 in value; payment of amounts due connecting lines under traffic agreements; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (U. S. C., title 5, sec. 793), to be reimbursed as therein provided: *Provided*, That not to exceed $6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal

Injury Compensation Act, payments under.
5 U. S. C. § 793.

Provisos.
Services in the District.

year 1938, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than $7,500: *Provided further*, That not to exceed $10,000 of such fund shall be available for printing and binding. In addition to this fund there shall be available from the general fund of the Treasury $200,000, for such capital expenditures only as are chargeable to capital account under accounting regulations prescribed by the Interstate Commerce Commission, which amount shall be available immediately.

Salary restriction.

Printing and binding.

Capital expenditures chargeable to capital account.

TERRITORY OF HAWAII

Hawaii.

Salaries of the Governor and of the secretary, $15,800.

Governor and secretary.

For contingent expenses, to be expended by the Governor for stationery, postage, and incidentals, and for traveling expenses of the Governor while absent from the capital on official business, $2,000; private secretary to the Governor, $3,100; temporary clerk hire, $750; in all, $5,850.

Contingent expenses.

GOVERNMENT OF THE VIRGIN ISLANDS

Virgin Islands.

For salaries of the Governor and employees incident to the execution of the Acts of March 3, 1917 (U. S. C., title 48, sec. 1391), and June 22, 1936 (Public Numbered 749, Seventy-fourth Congress), traveling expenses of officers and employees, necessary janitor service, care of Federal grounds, repair and preservation of Federal buildings and furniture, purchase of equipment, stationery, lights, water, and other necessary miscellaneous expenses, including not to exceed $5,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed $4,000 for personal services, household equipment, and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix; $116,000.

Governor, and other personal services.
39 Stat. 1132.
48 U. S. C. § 1391.
49 Stat. 1807.

Miscellaneous expenses.

For salaries and expenses of the agricultural experiment station and the vocational school in the Virgin Islands, including technical personnel, clerks, and other persons; scientific investigations of plants and plant industries and diseases of animals; demonstrations in practical farming; official traveling expenses; fixtures, apparatus, and supplies; clearing and fencing of land; and other necessary expenses, including not to exceed $2,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, $35,000.

Agricultural experiment station and vocational school.

For defraying the deficits in the treasuries of the municipal governments because of the excess of current expenses over current revenues for the fiscal year 1938, municipality of Saint Thomas and Saint John, $60,000, and municipality of Saint Croix, $50,000; in all, $110,000, to be paid to the said treasuries in monthly installments.

Deficits of municipal governments.

PUERTO RICAN HURRICANE RELIEF

Puerto Rican hurricane relief.

To enable the Division of Territories and Island Possessions to continue collection and administration of moneys due the United States on account of loans made under the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57), and to make compositions and adjustments in any loans heretofore made, as authorized by Public Resolutions Numbered 59 (49 Stat. 926) and 60 (49 Stat. 928), Seventy-fourth Congress, approved August 27, 1935, not to exceed $25,000 of any unobligated balances of appropriations made by authority of those joint resolutions, including repayment of principal and payments of interest on

Administrative expenses.

45 Stat. 1067; 46 Stat. 57.
Loan adjustments.

49 Stat. 926, 928.
Use of balances.

such loans, is hereby made available for administrative expenses during the fiscal year 1938.

Equatorial and South Sea Islands.

EQUATORIAL AND SOUTH SEA ISLANDS

Administrative expenses

For administrative expenses of the Division of Territories and Island Possessions, in carrying out the provisions of Executive Order Numbered 7368, approved May 13, 1936, relating to certain islands of the United States situate in the Pacific Ocean, namely, Jarvis, Baker, and Howland Islands, including personal services outside the District of Columbia (such employment to be by contract, if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes), rent, traveling expenses, purchase of necessary books, documents, newspapers and periodicals, stationery, hire of automobiles, purchase of equipment, supplies and provisions, and all other necessary expenses, $30,000.

R. S. § 3709.
41 U. S. C. § 5.

Saint Elizabeths Hospital.

SAINT ELIZABETHS HOSPITAL

Maintenance, etc.

For support, clothing, and treatment in Saint Elizabeths Hospital for the Insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval service of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are indigent, American citizens legally adjudged insane in the Dominion of Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, insane beneficiaries of the United States Veterans' Administration, and insane Indian beneficiaries of the Bureau of Indian Affairs, including not exceeding $27,000 for the purchase, exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for the use of the superintendent, purchasing agent, and general hospital business, and including not to exceed $185,000 for repairs and improvements to buildings and grounds, $1,149,750, including cooperation with organizations or individuals in scientific research into the nature, causes, prevention, and treatment of mental illness, and including maintenance and operation of necessary facilities for feeding employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding $1,500 of this sum may be expended in the removal of patients to their friends; not exceeding $1,500 in the purchase of such books, periodicals, and newspapers as may be required for the purposes of the hospital and for the medical library, and not exceeding $1,500 for the actual and necessary expenses incurred in the apprehension and return to the hospital of escaped patients: *Provided*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates who are not or who cease to be properly chargeable to Federal maintenance in the institution and in returning them to such places of residence: *Provided further*, That not exceeding $200 additional may be paid to two employees to provide mail facilities for patients in the hospital: *Provided further*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes: *Provided further*, That during the fiscal year 1938 the District of Columbia, or any branch of the Gov-

Insane citizens in Canada.

Vehicles.

Repairs and improvements.

Removal of patients to their friends.

Provisos.
Returning inmates no longer Federal charges.

Mail facilities.

Butter substitutes, restriction.

Patients of the District, etc.

ernment requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the superintendent, upon his written request, either in advance or at the end of each month, all or part of the estimated or actual cost of such maintenance, as the case may be, and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments on the basis of the actual cost of the care of patients paid for in advance shall be made monthly or quarterly, as may be agreed upon between the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury Department of the appropriation made for the care and maintenance of the patients at Saint Elizabeths Hospital for the year in which the support, clothing, and treatment is provided, and be subject to requisition upon the approval of the Secretary of the Interior.

Credit for payments.

For construction and equipment of a continuous-treatment building, including preparation of plans and specifications, advertising, and supervision of construction, $290,000.

Continuous-treatment building.
Construction and equipment.

For an additional amount for construction and equipment of a continuous-treatment building, including preparation of plans and specifications, advertising and supervision of construction, contained in the Interior Department Appropriation Act, fiscal year 1937, to be immediately available, $40,000.

Additional amount.

To furnish a driveway under Nichols Avenue, connecting two parts of the hospital, and for tunnel between C and M Buildings, for conveying food, $56,000.

Driveway construction.

COLUMBIA INSTITUTION FOR THE DEAF

Columbia Institution for the Deaf.

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, and including not to exceed $13,000 for improvement to the power, heating, and lighting system, $145,000.

Maintenance, etc.

HOWARD UNIVERSITY

Howard University.

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, $530,000;

Salaries, etc.

General expenses: For equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, and for other necessary expenses, $170,000;

General expenses.

Total, Howard University, $700,000.

FREEDMEN'S HOSPITAL

Freedmen's Hospital.

For officers and employees and compensation for all other professional and other services that may be required and expressly approved by the Secretary of the Interior, $218,100; for subsistence, fuel and light, clothing, to include white duck suits and white canvas shoes for the use of internes, and rubber surgical gloves, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, replacement of X-ray apparatus, furniture, purchase of ambulance at not to exceed $2,500, and maintenance and operation of passenger-carrying vehicles, including not exceeding $300 for the purchase of books, periodicals, and newspapers; and

Salaries, etc.

Contingent expenses.

not to exceed $1,500 for the special instruction of pupil nurses, and other absolutely necessary expenses, $111,310; in all, for Freedmen's Hospital, $329,410, including reimbursement to the appropriation for Howard University of actual cost of heat and light furnished, of which amount of $329,410 one-half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid.

Division of expenses.

Field work appropriations available for work animals, etc.

SEC. 2. Appropriations herein made for field work under the Office of the Secretary, the General Land Office, the Bureau of Indian Affairs, the Bureau of Reclamation, the Geological Survey, the Bureau of Mines, and the National Park Service shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

Appropriations and authority made available from July 1, 1937.

SEC. 3. The appropriations and authority with respect to appropriations contained herein shall be available from and including July 1, 1937, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between June 30, 1937, and the date of the enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Incurred obligations ratified.

Short title.

SEC. 4. This Act may be cited as the "Interior Department Appropriation Act, 1938".

Approved, August 9, 1937.

[CHAPTER 571]

August 10, 1937
[S 1281]
[Public, No. 250]

AN ACT

To authorize the sale of surplus War Department real property.

War Department. Sale of designated cemetery properties authorized

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to sell or cause to be sold, in the manner and upon such terms as he shall deem expedient, the cemetery properties hereinafter designated and to execute and deliver in the name of the United States of America and in its behalf any and all contracts, conveyances, or other instruments necessary to effectuate such sale and conveyance, and that the expense of sale shall be paid from the proceeds thereof, and the net proceeds deposited in the Treasury to the credit of miscellaneous receipts:

Laurel Hill Cemetery, Baltimore, Maryland, approximate area, five-tenths of an acre.

Confederate Lot, Greenlawn Cemetery, Indianapolis, Indiana, approximate area, five-tenths of an acre.

Point Lookout, Confederate Cemetery, Maryland (tracts numbered 1 and 2), approximate area, five and five-tenths acres.

Camp Dennison Cemetery, near Cincinnati, Ohio, approximate area, six hundred and twenty-eight one-thousandths of an acre.

Cave Hill National Cemetery, Louisville, Kentucky (site of superintendent's lodge), approximate area, twenty-two one-hundredths of an acre.

Mobile National Cemetery, Mobile, Alabama (Freedman's Lot), approximate area, one and five-tenths acres.

Approved, August 10, 1937.

[CHAPTER 572]

JOINT RESOLUTION

Consenting to an interstate oil compact to conserve oil and gas.

August 10, 1937
[S. J. Res 183]
[Pub Res, No 57]

Oil and gas conservation.
Consent given to extension of interstate compact concerning.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an extension and renewal for a period of two years from September 1, 1937, of the interstate compact to conserve oil and gas, executed in the city of Dallas, Texas, the 16th day of February 1935 by the representatives of the States of Oklahoma, Texas, California, and New Mexico, and thereafter recommended for ratification by the representatives of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and subsequently ratified by the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, which said compact was deposited in the Department of State of the United States, and thereafter such compact was, by the President, presented to the Congress and the Congress gave consent to such compact by H. J. Res. 407, approved August 27, 1935 (Public Resolution Numbered 64, Seventy-fourth Congress). The extended and renewed compact, executed in New Orleans, Louisiana, the 10th day of May 1937 by the representatives of the States of Oklahoma, Texas, Kansas, and New Mexico, and there recommended for ratification by representatives of the States of Oklahoma, Texas, Kansas, New Mexico, Illinois, and Colorado, and since ratified by the said States of Oklahoma, Texas, Kansas, New Mexico, Illinois, and Colorado, which extended and renewed compact has been deposited in the Department of State of the United States, and reads as follows:

49 Stat. 939

Text of compact.

"ARTICLE I

"This agreement may become effective within any compacting State at any time as prescribed by that State, and shall become effective within those states ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing State may become a party hereto as hereinafter provided.

"ARTICLE II

"The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

"ARTICLE III

"Each State bound hereby agrees that within a reasonable time it will enact laws, or if laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of—

"(a) The operation of any oil well with an inefficient gas-oil ratio.

"(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas in paying quantities.

"(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

"(d) The creation of unnecessary fire hazards.

"(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

"(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

"The enumeration of the foregoing subjects shall not limit the scope of the authority of any State.

"ARTICLE IV

"Each State bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

"ARTICLE V

"It is not the purpose of this compact to authorize the States joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

"ARTICLE VI

"Each State joining herein shall appoint one representative to a commission hereby constituted and designated as The Interstate Oil Compact Commission, the duty of which said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

"The Commission shall have power to recommend the coordination of the exercise of the police powers of the several states within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said states, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

"No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of the compacting States, represented at any meeting and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

"ARTICLE VII

"No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

"ARTICLE VIII

"This compact shall expire September 1, 1937. But any State joining herein may, upon sixty (60) days notice, withdraw herefrom.

"The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the

archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory States.

"This compact shall become effective when ratified and approved as provided in Article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified and ratified.

"Done in the City of Dallas, Texas, this sixteenth day of February, 1935.

"And whereas, it is desired to extend and renew said Compact for the period of two (2) years from September 1, 1937, its expiration date;

"Now, therefore, this writing witnesseth:

"It is hereby agreed that the said Compact entitled 'An interstate compact to conserve oil and gas' executed in the City of Dallas, Texas, on the 16th day of February, 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same is hereby, extended for a period of two (2) years from September 1, 1937, its date of expiration, this agreement to become effective within those States joining herein when executed by any three of the States of Texas, Oklahoma, California, Kansas and New Mexico, and consent thereto is given by Congress.

"The signatory States execute this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States.

"Executed as of this the 10th day of May, 1937, by the several undersigned States, at their several Capitols, through their proper officials thereunto duly authorized by resolutions or statutes of the several States."

SEC. 2. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved. Rights reserved.

Approved, August 10, 1937.

[CHAPTER 573]

AN ACT

To provide retirement annuities for certain former employees of the Panama Canal and the Panama Railroad Company on the Isthmus of Panama.

August 10, 1937
[S. 81]
[Public, No. 251]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 103 of title 2 of the Canal Zone Code, approved June 19, 1934, is amended by adding at the end thereof the following paragraph:

Canal Zone Code, amendment.
48 Stat. 1122.

"Any citizen of the United States separated from the service of either the Panama Canal or the Panama Railroad Company on the Isthmus of Panama subsequent to August 1, 1920, and before July 1, 1926, not by removal for cause on charges of misconduct or delinquency, upon making the necessary contributions to the retirement and disability funds as provided in this article and who meets the requirements as to age and service set forth in said section 103 of title 2 of the Canal Zone Code, approved June 19, 1934, shall be entitled to an annuity computed in accordance with the provisions of this article, notwithstanding the fact that his separation from the service occurred prior to the existence of any retirement Act applicable to employees of the Panama Canal or the Panama Railroad on the Isthmus of Panama: *Provided*, That such annuity shall be payable only from the date of enactment of this Act."

Retirement annuities to certain former employees of Panama Canal, etc.

Proviso.
No prior benefits.

Approved, August 10, 1937.

[CHAPTER 574]

AN ACT

August 10, 1937
[S. 1278]
[Public, No 252]

To authorize exchange of lands at military reservations, and for other purposes.

Military reservations.
Exchange of certain lands authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to convey by quitclaim deeds the tracts of real estate now owned by the United States hereafter described, and in exchange therefor to acquire the title to the tracts hereafter described, or rights pertaining thereto or interests therein, for the purposes named:

Jeffersonville Quartermaster Depot, Ind.

(a) A strip of land comprising part of the Quartermaster Depot Military Reservation at Jeffersonville, Indiana, lying along the right-of-way of the Louisville and Jeffersonville Bridge and Railroad Company as part of the consideration for land now owned by said railroad company lying adjacent to the main section of said depot.

Plattsburg Barracks, N. Y.

(b) To enter into and execute an agreement or agreements with the owners or claimants of adjoining land to fix and establish a location for the western boundary line of that part of the Plattsburg Barracks Military Reservation, New York, acquired from Pliny Moore, and others, by deed dated December 30, 1814, and he may, if he deems it advisable, give to or receive from such owners or claimants appropriate releases, by way of quitclaim deeds or otherwise.

Exchange in public interest.

SEC. 2. That in conveying property of the United States under authority contained in this Act, the Secretary of War shall determine that the exchange is to the best interest of the Government.

Approved, August 10, 1937.

[CHAPTER 578]

AN ACT

August 11, 1937
[S. 2157]
[Public, No. 253]

Authorizing credits to disbursing officers for expenses incident to the creation of subsistence homesteads corporations.

Subsistence homesteads corporations.
Credits authorized to disbursing officers for expenses incident to creation of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of disbursing officers for all otherwise proper payments heretofore made by them as fees and expenses incident to the creation or organization of subsistence homesteads corporations sponsored by the Secretary of the Interior pursuant to Executive Order Numbered 6209 of July 21, 1933.

Approved, August 11, 1937.

[CHAPTER 579]

AN ACT

August 11, 1937
[H. R. 6696]
[Public, No 254]

To amend an Act entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929.

Healing Arts Practice Act, D. C., 1928, amendment.
45 Stat. 1334.
Time limitation for filing application for license to practice repealed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929, be amended by striking from the first paragraph of section 24 thereof the sentence reading as follows: "After five years after the approval of this Act the commission shall issue no license to practice the healing art in the District of Columbia on the basis of a license to practice medicine and surgery or to practice midwifery, in the District of Columbia, in force on the date of its approval."

Approved, August 11, 1937.

[CHAPTER 580]

AN ACT

To amend the Act entitled "An Act for the establishment of marine schools, and for other purposes", approved March 4, 1911.

August 11, 1937
[H. R. 7614]
[Public, No 255]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act for the establishment of marine schools, and for other purposes", approved March 4, 1911 (36 Stat. 1353; U. S. C., title 34, secs. 1121–1123), is amended by adding at the end of the first section the following paragraph:

Marine schools

36 Stat. 1353.
34 U. S. C. §§ 1121–1123.

"The port of Norfolk specified in the preceding paragraph shall be construed as embracing Norfolk, or Portsmouth, or Newport News, or any other city, town, municipality, or locality within the territorial limits of the customs-collection district having its headquarters at Norfolk, Virginia."

"Port of Norfolk" construed.

Approved, August 11, 1937.

[CHAPTER 581]

AN ACT

To authorize the administration of oaths by the Chief Clerk and the Assistant Chief Clerk of the Office of the United States High Commissioner to the Philippine Islands, and for other purposes.

August 11, 1937
[H. R. 7727]
[Public, No. 256]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby conferred upon the Chief Clerk and the Assistant Chief Clerk, respectively, of the Office of the United States High Commissioner to the Philippine Islands, the authority whenever either of them is required or deems it necessary or proper so to do at any place within the territorial limits of the Commonwealth of the Philippines, to administer to or take from any person an oath, affirmation, affidavit, or deposition, and to perform any notarial act which any notary public is required or authorized by law to do within the United States or any of its possessions. Every such oath, affirmation, affidavit, deposition, and notarial act administered, sworn, affirmed, taken, had, or done, by or before such Chief Clerk or Assistant Chief Clerk when certified under their respective hands and accompanied by a certificate attesting the official position of the person certifying as such Chief Clerk or Assistant Chief Clerk, under the hand and the seal of office of the United States High Commissioner to the Philippine Islands or of the Acting United States High Commissioner to the Philippine Islands, shall be as valid, and of like force and effect within the United States and its possessions, to all intents and purposes, as if administered, sworn, affirmed, taken, had, or done by or before any other person within the United States or its possessions duly authorized and competent thereto: *Provided*, That nothing herein contained shall be held to limit or to replace any provision of law now in force in the Philippine Islands relative to the administration of oaths or the performance of notarial acts therein.

Philippine Islands. Administration of oaths, etc., by certain officials of the office of High Commissioner to.

Force and effect.

Proviso. Existing provisions of law not replaced.

SEC. 2. Any person who shall willfully and corruptly misstate, or by any means procure any person to misstate, any material fact or matter in any such oath, affirmation, affidavit, or deposition, or shall forge any of the signatures or the seal hereinbefore mentioned or shall tender in evidence any of the documents heretofore mentioned with a false or counterfeit seal or signature thereto, knowing the same to be false or counterfeit, may be charged and tried in any court of the United States or of its possessions, including the Commonwealth of the Philippines, within whose territorial jurisdiction

False, etc., statements, forgery, penalty for.

he may be found, and upon conviction of any offense herein described shall be imprisoned for not less than one nor more than three years, and fined in a sum not to exceed $3,000.

Authenticated documents, admissibility in evidence.

SEC. 3. Any document mentioned herein purporting to have subscribed thereto or thereon the signature of the official administering or taking the same in testimony thereof, when accompanied by the above-mentioned certificate of the United States High Commissioner to the Philippine Islands or of the Acting United States High Commissioner to the Philippine Islands, shall be admitted in evidence without proof of the genuineness of the signature or seal of any official herein mentioned or of the official position of such official.

Approved, August 11, 1937.

[CHAPTER 588]

AN ACT

August 12, 1937
[H. R. 3866]
[Public, No. 257]

To add certain lands to the Columbia National Forest in the State of Washington.

Columbia National Forest, Wash. Lands added.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to any valid existing claim or entry, all lands of the United States within the areas hereinafter described be, and the same are hereby, added to and made parts of the Columbia National Forest, in the State of Washington, to be hereinafter administered under the laws and regulations relating to the national forests; and the provisions of the Act approved March 20, 1922 (U. S. C., title 16, secs. 486, 487), as amended, are hereby extended and made applicable to all other lands within the said described area.

Sale of timber.
42 Stat. 465.
16 U. S. C. §§ 485, 486.

Description.

Sections 1 to 3, inclusive, and 11 and 12, township 2 north, range 4 east; sections 1 to 3, inclusive, 6 to 8, inclusive, and 10 to 36, inclusive, township 3 north, range 4 east; sections 1 to 28, inclusive, 34 to 36, inclusive, township 4 north, range 4 east; all of township 5 north, range 4 east; sections 1, 2, 11 to 15, inclusive, 22 to 27, inclusive, and 33 to 36, inclusive, township 6 north, range 4 east; sections 4 to 9, inclusive, 16 to 21, inclusive, 28 to 33, inclusive, township 6 north, range 5 east, all in the State of Washington, Willamette meridian.

Approved, August 12, 1937.

[CHAPTER 589]

AN ACT

August 12, 1937
[H. R. 4343]
[Public, No. 258]

To amend section 77B of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended.

Bankruptcy Act of 1898, amendment.
48 Stat. 916.
11 U. S. C. § 207 (c).
Reorganization, etc., of private corporations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (c) of section 77B of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended (U. S. C., 1934 ed., title 11, sec. 207 (c)), is amended by inserting after clause (3) thereof the following: "(3½) may, for cause shown, and in accordance with such rules as to notice and hearing as the Supreme Court may prescribe, authorize the debtor, or the trustee or trustees, if appointed, to lease or sell, upon such terms and conditions as may be approved by the judge, any property of the debtor, whether real or personal;".

Power of Court to authorize lease or sale of debtor's property.

Approved, August 12, 1937.

[CHAPTER 590]

AN ACT

Granting a renewal of patent numbered 60731 relating to the badge of the Girl Scouts, Incorporated.

August 12, 1937
[H. R. 5194]
[Public, No. 259]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain design patent issued by the United States Patent Office of date of March 28, 1922, being patent numbered 60731, is hereby renewed and extended for a period of fourteen years from and after the date of approval of this Act, with all the rights and privileges pertaining to the same, being generally known as the badge of the Girl Scouts, Incorporated.

Girl Scouts, Inc
Patent on badge, renewed

Approved, August 12, 1937.

[CHAPTER 591]

AN ACT

Providing for the establishment of a term of the District Court of the United States for the Northern District of New York at Malone, New York.

August 12, 1937
[H. R. 5963]
[Public, No. 260]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a term of the District Court of the United States for the Northern District of New York shall be held annually at Malone, New York, on the second Tuesday in July: *Provided*, That suitable rooms and accommodations for holding court at Malone, New York, are furnished without expense to the United States until, upon the recommendation of the Attorney General, such accommodations are furnished by the United States.

District court for New York Northern District.
Term at Malone.

Proviso.
Rooms, etc.

Approved, August 12, 1937.

[CHAPTER 592]

AN ACT

To authorize the city of Chamberlain, South Dakota, to construct, equip, and maintain tourist cabins on American Island, South Dakota, to operate and maintain a tourist camp and certain amusement and recreational facilities on such island, to make charges in connection therewith, and for other purposes.

August 12, 1937
[S. 1266]
[Public, No. 261]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 21, as amended, of the Act entitled "An Act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes", approved March 2, 1889, the city of Chamberlain, South Dakota, is authorized, for the purpose of maintaining, developing, and policing American Island, South Dakota, to construct, equip, and maintain a tourist camp and tourist cabins on such island and to charge for the use thereof; to operate and maintain amusement, recreational, and athletic facilities on such island, to charge for admission thereto, and to collect reasonable fees for any concessions granted in connection with amusement, recreational, and athletic entertainments; to lease to Girl Scout and Boy Scout organizations such grounds and quarters on such island as may be necessary for their encampments; and to maintain improvements placed on such island by or in cooperation with the National Park Service: *Provided*, That all enterprises operated on American Island shall be owned and operated by the city of Chamberlain and all profit derived

Chamberlain, S. Dak.
25 Stat. 896.
Construction, etc., tourist cabins on American Island by, authorized.

Operation of amusement, athletic, etc., facilities.

Lease of portion for Girl Scout, etc., encampments.

Provisos.
Enterprises; ownership, operation, etc.; use of profits.

therefrom shall be maintained by such city in a separate fund, which shall be used exclusively for the maintenance, development, and policing of such island: *Provided further*, That this Act shall become effective only after the city of Chamberlain makes regulatory provision to carry out the terms of the Act and after such regulations have been certified to the Secretary of the Interior.

Regulatory provisions.

Approved, August 12, 1937.

[CHAPTER 593]

AN ACT

August 12, 1937
[S. 1935]
[Public, No. 262]

To authorize and direct the Comptroller General of the United States to allow credit for all outstanding disallowances and suspensions in the accounts of disbursing officers or agents of the Government for payments made pursuant to certain adjustments and increases in compensation of Government officers and employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions of section 7 of the Act of March 3, 1933, as amended and extended, the Comptroller General of the United States is hereby authorized and directed to allow credit for all outstanding disallowances and suspensions in the accounts of any disbursing officer or agent for payments made pursuant to adjustments and increases in compensation of officers and employees of any executive department, independent establishment, or other agency of the United States made or granted during or for the fiscal years ended June 30, 1934, and June 30, 1935, pursuant to the provisions of Executive Order Numbered 6746 of June 21, 1934, and Executive orders which that order superseded, in all cases in which the compensation of such officers or employees was paid out of emergency appropriations; and no amounts so paid and not heretofore recovered shall be charged against the payees on account of said payments.

Government disbursing officers, etc.
Credit for certain payments made by, during fiscal years 1934 and 1935.
47 Stat. 1515.

Release of accountability.

Approved, August 12, 1937.

[CHAPTER 594]

AN ACT

August 12, 1937
[H. R. 169]
[Public, No. 263]

To provide for a term of court at Benton, Illinois.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 79 of the Judicial Code (U. S. C., 1934 edition, title 28, sec. 152) is amended to read as follows:

Judicial Code, amendment.
36 Stat. 1110.
28 U. S. C. § 152.

"The State of Illinois is divided into three districts, to be known as the northern, southern, and eastern districts of Illinois. The northern district shall include the territory embraced on the 1st day of July 1910 in the counties of Cook, De Kalb, Du Page, Grundy, Kane, Kendall, Lake, La Salle, McHenry, and Will, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of Boone, Carroll, Jo Daviess, Lee, Ogle, Stephenson, Whiteside, and Winnebago, which shall constitute the western division. Terms of the district court for the eastern division shall be held at Chicago on the first Mondays in February, March, April, May, June, July, September, October, and November, and the third Monday in December; and for the western division, at Freeport on the third Mondays in April and October. The clerk of the court for the northern district shall maintain an office in charge of himself or a deputy at Chicago and

Illinois judicial districts.
Northern district.

Terms.

Offices.

at Freeport, which shall be kept open at all times for the transaction of the business of the court. The marshal for the northern district shall maintain an office in the division in which he himself does not reside and shall appoint at least one deputy who shall reside therein. The southern district shall include the territory embraced on the 1st day of July 1910 in the counties of Bureau, Fulton, Henderson, Henry, Knox, Livingston, McDonough, Marshall, Mercer, Putnam, Peoria, Rock Island, Stark, Tazewell, Warren, and Woodford, which shall constitute the northern division; also the territory embraced on the date last mentioned in the counties of Adams, Bond, Brown, Calhoun, Cass, Christian, De Witt, Greene, Hancock, Jersey, Logan, McLean, Macon, Macoupin, Madison, Mason, Menard, Montgomery, Morgan, Pike, Sangamon, Schuyler, and Scott, which shall constitute the southern division. Terms of the district court for the northern division shall be held at Peoria on the third Mondays in April and October; for the southern division, at Springfield on the first Mondays in January and June, and at Quincy the first Mondays in March and September. The clerk of the court for the southern district shall maintain an office in charge of himself or a deputy at Peoria, at Springfield, and at Quincy, which shall be kept open at all times for the transaction of the business of the court. The marshal for said southern district shall appoint at least one deputy residing in the said northern division, who shall maintain an office at Peoria. The eastern district shall include the territory embraced on the 1st day of July 1910 in the counties of Alexander, Champaign, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Hamilton, Hardin, Iroquois, Jackson, Jasper, Jefferson, Johnson, Kankakee, Lawrence, Marion, Massac, Monroe, Moultrie, Perry, Piatt, Pope, Pulaski, Randolph, Richland, Saint Clair, Saline, Shelby, Union, Vermilion, Wabash, Washington, Wayne, White, and Williamson. Terms of the district court for the eastern district shall be held at Danville on the first Mondays in March and September; at Cairo, on the first Mondays in April and October; at East Saint Louis, on the first Mondays in May and November; and at Benton on the first Mondays in June and December: *Provided*, That facilities for holding court at Benton are furnished free of expense to the United States. The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Danville, at Cairo, at East Saint Louis, and at Benton, which shall be kept open at all times for the transaction of the business of the court, and shall there keep the records, files, and documents pertaining to the court at that place."

Southern district.

Terms

Offices.

Eastern district.

Terms.

Proviso. Accommodations at Benton.

Approved, August 12, 1937.

[CHAPTER 595]

AN ACT

Relating to the accommodations for holding court at Shawnee, Oklahoma.

August 12, 1937
[H. R. 4605]
[Public, No. 264]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the establishment of a term of the District Court of the United States for the Western District of Oklahoma at Shawnee, Oklahoma", approved May 13, 1936 (U. S. C., 1934 ed., Supp. II, title 28, sec. 182), is amended by striking out the period at the end of the proviso and adding the following: "until, subject to the recommendation of the Attorney General of the United

Oklahoma Western Judicial District.
49 Stat. 1271.
28 U. S. C., Supp. II, § 182.

Court accommodations at Shawnee.

States with reference to providing such rooms and accommodations for holding court at Shawnee, a public building shall have been erected or other Federal space provided for court purposes in said city."

Approved, August 12, 1937.

[CHAPTER 596]

AN ACT

August 12, 1937
[H. R. 5462]
[Public, No 265]

To increase the age of consent for marriage in the District of Columbia to eighteen years of age in the case of males and sixteen years of age in the case of females.

District of Columbia.
31 Stat. 1391; 32 Stat. 543

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph "Fourth" of section 1285 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended, is amended to read as follows:

Age of consent for marriage increased

"Fourth. When either of the parties is under the age of consent, which is hereby declared to be eighteen years of age for males and sixteen years of age for females."

Issuance of license; time provision

SEC. 2. A license to marry shall not be issued until three days have elapsed from date of application for issuance of said license.

Effective date.

SEC. 3. This Act shall take effect on the thirtieth day after the date of its enactment.

Approved, August 12, 1937.

[CHAPTER 597]

AN ACT

August 12, 1937
[H. R. 6242]
[Public, No. 266]

To protect the buyers of potatoes in the District of Columbia.

District of Columbia.
Protection of potato buyers.
U. S. grade to be indicated on each package.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no person, firm, or corporation shall sell, offer for sale, keep, or expose for sale in the District of Columbia potatoes in any package which is not plainly marked or labeled with the name of the United States grade which represents a standard no higher than the actual grade of potatoes contained therein: *Provided, however*, That the term "unclassified" or "ungraded" may be used. The superintendent of weights, measures, and markets shall administer this Act and the Commissioners of the District of Columbia are authorized to establish necessary rules and regulations therefor.

Proviso.
Terms permitted.
Administration, rules, etc

Sale, etc., otherwise than in packages.

SEC. 2. No person, firm, or corporation shall sell, offer for sale, keep or expose for sale in the District of Columbia any potatoes otherwise than in packages as provided in section 1 of this Act without having plainly and conspicuously displayed in proximity to said potatoes a printed sign where it may readily be seen and in letters of not less than one-half inch high printed in Gothic type clearly and distinctly stating the United States grade of said potatoes.

Certified seed potatoes sold for seed purposes.

SEC. 3. The provisions of this Act shall not apply to officially certified seed potatoes which meet the grade or certification requirements as labeled and which are sold exclusively for seed purposes, provided they are sold in original packages and bear the official seal and certification of the department of agriculture of the State or country where the potatoes were grown.

Penalty for violation.

SEC. 4. Any person, firm, or corporation which shall violate any provisions of this Act shall be fined not more than $50 for the first offense and not more than $200 for each subsequent offense.

Approved, August 12, 1937.

[CHAPTER 598]

AN ACT

To increase the punishment of second, third, and subsequent offenders against the narcotic laws.

August 12, 1937
[H. R. 6283]
[Public, No. 267]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a person who, after having been convicted of selling, importing, or exporting, or conspiring to sell, import, or export, opium, coca leaves, cocaine, or any salt, derivative, or preparation of opium, coca leaves, or cocaine, again sells, imports, or exports, or conspires to sell, import, or export, any of the said narcotic drugs, in violation of the laws of the United States, shall, upon conviction of such second offense, be fined not more than $5,000 or imprisoned in a Federal penitentiary for not more than ten years, or both, in the discretion of the court, whenever the fact of such previous conviction is established in the manner prescribed in section 3 of this Act.

Narcotic laws. Punishment for violations of. Second offense; fine, imprisonment.

SEC. 2. A person who, after having been two times convicted of selling, importing, or exporting, or conspiring to sell, import, or export, opium, coca leaves, cocaine, or any salt, derivative, or preparation of opium, coca leaves, or cocaine, again sells, imports, or exports or conspires to sell, import, or export, any of the said narcotic drugs, in violation of the laws of the United States, shall, upon conviction of such third offense, or any offense subsequent thereto, be fined not more than $10,000 or imprisoned in a Federal penitentiary for not more than twenty years, or both, in the discretion of the court, whenever the fact of such previous convictions is established in the manner prescribed in section 3 of this Act.

Third offense.

SEC. 3. Whenever it shall appear, after conviction and before or after sentence, that a person convicted of unlawfully selling, importing, or exporting, or conspiring unlawfully to sell, import, or export, any of the narcotic drugs enumerated in this Act has previously been convicted of unlawfully selling, importing, or exporting, or conspiring unlawfully to sell, import, or export, any of said narcotic drugs, in violation of the laws of the United States, it shall be the duty of the United States district attorney for the district in which such subsequent conviction was had to file an information alleging that the defendant has previously been so convicted, and further alleging the number of such previous convictions. The court in which the defendant was convicted shall cause the said defendant, whether confined in prison or otherwise, to appear before it and shall apprise him of the allegations of the information and of his right to a trial by jury as to the truth thereof. The court shall inquire of the defendant whether he is the person who has previously been convicted. If the defendant states he is not such person, or if he refuses to answer or remains silent, a plea of not guilty shall be entered by the court, and a jury shall be empaneled to determine whether the defendant is the person alleged in the information to have previously been convicted, and the number of such previous convictions. If after a trial on the sole issue of the truth of such allegations the jury determines that the defendant is in fact the person previously convicted as charged in the information, or if he acknowledges in open court, after being duly cautioned as to his rights, that he is such person, he shall be punished as prescribed in sections 1 or 2 of this Act, as the case may be, and the previous sentence of the court, if any, shall be vacated and there shall be deducted from the new sentence the amount of time actually served under the sentence so vacated.

Method by which previous conviction brought before court.

Procedure.

Approved, August 12, 1937.

[CHAPTER 599]

AN ACT

August 12, 1937
[H. R. 6388]
[Public, No 268]

To amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia, relating to offenses against property.

District of Columbia Code, amendments.
Offenses against property
31 Stat 1323-1328

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subchapter 2 of chapter 19 of the Act to establish a Code of Law for the District of Columbia, approved March 3, 1901, and the Acts amendatory thereof (the same being title 6 of 1929 D. C. Code), be, and the same are hereby, amended as follows:

By striking out section 826 (title 6, sec. 60, 1929 D. C. Code) and inserting in lieu thereof the following:

Grand larceny.

"SEC. 826 (title 6, sec. 60, 1929, D. C. Code), GRAND LARCENCY [1].—Whoever shall feloniously take and carry away anything of value of the amount or value of $50 or upward, including things savoring of the realty, shall suffer imprisonment for not less than one nor more than ten years."

By striking out section 827 (title 6, sec 61, 1929 D. C. Code) and inserting in lieu thereof the following:

Petit larceny; order of restitution.

"SEC. 827 (title 6, sec. 61, 1929 D. C. Code). PETIT LARCENY; ORDER OF RESTITUTION.—Whoever shall feloniously take and carry away any property of value of less than $50, including things savoring of the realty, shall be fined not more than $200 or be imprisoned for not more than one year, or both. And in all convictions for larceny, either grand or petit, the trial justice may, in his sound discretion, order restitution to be made of the value of the money or property shown to have been stolen by the defendant and made way with or otherwise disposed of and not recovered."

By striking out section 842 (title 6, 85, 1929 D. C. Code) and inserting in lieu thereof the following:

False pretenses.

"SEC. 842 (title 6, sec. 85, 1929 D. C. Code). FALSE PRETENSES.—Whoever, by any false pretense, with intent to defraud, obtains from any person anything of value, or procures the execution and delivery of any instrument of writing or conveyance of real or personal property, or the signature of any person, as maker, endorser, or guarantor, to or upon any bond, bill, receipt, promissory note, draft or check, or any other evidence of indebtedness, and whoever fraudulently sells, barters, or disposes of any bond, bill, receipt, promissory note, draft or check, or other evidence of indebtedness, for value, knowing the same to be worthless, or knowing the signature of the maker, endorser, or guarantor thereof to have been obtained by any false pretense, shall, if the value of the property or the sum or value of the money or property so obtained, procured, sold, bartered, or disposed of is $50 or upward, be imprisoned not less than one year nor more than three years; or, if less than that sum, shall be fined not more than $200 or imprisoned for not more than one year, or both. Any person who obtains any lodging, food, or accommodation at an inn, boarding house, or lodging house, without paying therefor, with intent to defraud the proprietor or manager thereof, or who obtains credit at such an inn, boarding house, or lodging house by the use of any false pretense, or who, after obtaining credit or accommodation at such an inn, boarding house, or lodging house, absconds or surreptitiously removes his baggage therefrom without paying for his food, accommodation, or lodging, shall be deemed guilty of a misdemeanor, and upon conviction thereof in the police court of the District of Columbia be fined not more than $100 or imprisoned not more than six months, or both, in the discretion of said court."

Defrauding innkeeper, etc.

[1] So in original.

By striking out section 847 (title 6, sec. 91, 1929 D. C. Code) and inserting in lieu thereof the following:

Malicious cutting down or destroying trees, etc.

"SEC. 847 (title 6, sec. 91, 1929 D. C. Code). Whoever maliciously cuts down or destroys by girdling or otherwise, any standing or growing vine, bush, shrub, sapling, or tree on the land of another, or severs from the land of another any product standing or growing thereon, or any other thing attached thereto, shall, if the value of the thing destroyed or the amount of damage done to any such thing or to the land is $50 or more, be imprisoned for not less than one year nor more than three years, or, if such value or amount is less than that sum, shall be fined not less than $5 nor more than $100, or be imprisoned not more than one year, or both."

By striking out section 848 (title 6, sec. 53, 1929 D. C. Code) and inserting in lieu thereof the following:

Malicious burning, etc., of movable property

"SEC. 848 (title 6, sec. 53, 1929 D. C. Code). Whoever maliciously injures or destroys, or attempts to injure or destroy, by fire or otherwise, any movable property not his own, of the value of $50 or more, shall be imprisoned for not less than one year and not more than ten years, and if the value of the property be less than $50 by a fine not exceeding $200 or by imprisonment not exceeding one year, or both."

By striking out section 851a and inserting in lieu thereof the following:

Penalties for designated offenses.

"SEC. 851a. Whoever shall be guilty of any offense defined in sections 834 (title 6, sec. 76, 1929 D. C. Code), 835 (title 6, sec. 77, 1929 D. C. Code), 836 (title 6, sec. 78, 1929 D. C. Code), 837 (title 6, sec. 79, D. C. Code), and 838 (title 6, sec. 80, 1929 D. C. Code) of the Code of Law for the District of Columbia shall, where the thing, evidence of debt, property, proceeds, or profits be of the value of less than $50 be punished by imprisonment for not more than one year or a fine of not more than $200 or both."

By striking out section 851b (title 6, sec. 98, 1929 D. C. Code) and inserting in lieu thereof the following:

Larceny after trust.

"SEC. 851b (title 6, sec. 98, 1929 D. C. Code). That if any person entrusted with the possession of anything of value, including things savoring of the realty, for the purpose of applying the same for the use and benefit of the owner or person, so delivering it, shall fraudulently convert the same to his own use he shall, where the value of the thing so converted is $50 or more, be punished by imprisonment for not less than one nor more than ten years, or by a fine of not more than $1,000, or both; and where the value of the thing so converted is less than $50 he shall be punished by imprisonment for not more than one year or by a fine of not more than $500, or both: *Provided*, That nothing contained in this section shall be construed to alter or repeal any section contained in subchapter 2 of chapter 19 of this Code (title 6, ch. 3, 1929 D. C. Code)."

Proviso. Existing provisions not affected.

Approved, August 12, 1937.

[CHAPTER 600]

AN ACT

August 12, 1937
[H. R. 6693]
[Public, No. 269]

To legalize a dike in the Missouri River six and nine-tenths miles downstream from the South Dakota State highway bridge at Pierre, South Dakota.

Missouri River. Dike to Farm Island in, near Pierre, S. Dak., legalized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dike constructed from the left bank of the Missouri River to Farm Island, mile 1167.1 above the mouth, or six and nine-tenths miles downstream from the South Dakota State highway bridge at Pierre, South Dakota, by the South Dakota State Highway Commission, be, and the same is hereby, legalized to the same extent and with like effect

as to all existing or future laws and regulations of the United States as if it had been constructed in accordance with the approved plans:

Proviso. Changes by owner.

Provided, That any changes in said dike which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owner thereof.

Amendment.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 12, 1937.

[CHAPTER 601]

AN ACT

August 12, 1937
[H. R. 6975]
[Public, No. 270]

Granting the consent of Congress to the county court of Saline County, Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Arrow Rock, Missouri.

Missouri River. Saline County, Mo., may bridge, at Arrow Rock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the county court of Saline County, Missouri, to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Arrow Rock, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. 34 Stat. 84. 33 U. S. C. § 491.

Tolls applied for operation, sinking fund, etc.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge after amortizing costs.

Record of expenses and receipts.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 12, 1937.

[CHAPTER 602]

AN ACT

August 12, 1937
[H. R. 6979]
[Public, No. 271]

To extend the times for commencing and completing the construction of a bridge over Lake Sabine at or near Port Arthur, Texas.

Lake Sabine. Time extended for bridging, at Port Arthur, Tex. 48 Stat. 1008; 49 Stat. 1196.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge over Lake Sabine, at or near Port Arthur, Texas, authorized to be built by the city of Port Arthur, Texas, or the Port Arthur Bridge Commission and its successors, by an Act of Congress approved June 18, 1934 (48 Stat. 1008), and heretofore amended and extended by an Act of Congress approved April 10, 1936, are hereby further extended one and three years, respectively, from the date of approval hereof.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 12, 1937.

[CHAPTER 603]

AN ACT

To advance a program of national safety and accident prevention.

August 12, 1937
[H. R 7433]
[Public, No. 272]

National safety and accident prevention
Appropriation authorized for furthering work of conference on.
Post, p. 762.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $35,000 to be expended under the direction of the Secretary of Commerce for the furtherance of the work of the Accident Prevention Conference. Money appropriated pursuant to this Act shall be available upon vouchers approved by the Secretary of Commerce for fostering accident-prevention work on the part of organizations engaged in the promotion of safety and accident prevention; preparation and printing of material designed to enlighten the general public in matters of safety and accident prevention, such material to be disseminated through schools, newspapers, magazines, the radio, or any other means of intercourse or communication; the preparation and attempts to obtain enactment of uniform vehicle regulations in the several States; clerical assistants for the members of the General Committee of the Accident Prevention Conference: *Provided*, That travel expenses incurred by members of the General Committee of the Accident Prevention Conference in the furtherance of the work of the said Conference shall be paid out of the amount appropriated.

Proviso.
Travel expenses.

Approved, August 12, 1937.

[CHAPTER 604]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana.

August 12, 1937
[H. R. 7440]
[Public, No. 273]

Mississippi River.
Time extended for bridging, between New Orleans and Gretna, La.
44 Stat. 1270; 45 Stat. 193, 1229; 46 Stat. 551; 47 Stat. 1415; 48 Stat. 396; 49 Stat. 321, 1542.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, Louisiana, authorized to be built by George A. Hero and Allen S. Hackett, their successors and assigns, by Act of Congress approved March 2, 1927, heretofore extended by Acts of Congress approved March 6, 1928, February 19, 1929, June 10, 1930, March 1, 1933, March 5, 1934, June 4, 1935, and June 20, 1936, are hereby further extended one and three years, respectively, from June 20, 1937: *Provided*, That the State of Louisiana, or any agency or authority created by it, may construct the bridge herein authorized.

Proviso.
Construction by State, etc., permitted.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 12, 1937.

[CHAPTER 605]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York.

August 12, 1937
[H. R. 7514]
[Public, No. 274]

Saint Lawrence River.
Time extended for bridging, at Ogdensburg, N. Y.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York, authorized to be built by the Saint Lawrence Bridge Commission and its

48 Stat 141, 927; 49 Stat. 301, 1202.

successors and assigns, by an Act of Congress approved June 14, 1933, and heretofore extended by Acts of Congress approved June 8, 1934, May 28, 1935, and April 11, 1936, are hereby extended one and three years, respectively, from the date of approval of this Act.

Amendment

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 12, 1937.

[CHAPTER 606]

AN ACT

August 12, 1937
[H. R. 7714]
[Public, No. 275]

To authorize the Secretary of Commerce to transfer the two unused lighthouse sites in Kahului Townsite, Island of Maui, Territory of Hawaii, in exchange for two plots of land located in the same townsite and now occupied for lighthouse purposes under permission from the respective owners, the Kahului Railroad Company and the Hawaiian Commercial and Sugar Company, Limited.

Hawaii.
Exchange of certain lighthouse sites authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to convey to the Kahului Railroad Company all that piece or parcel known as lot numbered 16, block "T", of Kahului Townsite, Island of Maui, Territory of Hawaii, containing an area of seven thousand and sixty-four square feet:

Proviso.
Conveyance to United States.

Provided, That as a condition precedent to such transfer the said railroad company shall first convey to the United States of America, by warranty deed and free of all encumbrances, all that piece or portion of L. S. A. 7713, Apana 23, to Kamamalu, situate at Kahului, Island of Maui, Territory of Hawaii, being lot numbered 10, block "T", of Kahului Townsite, containing an area of seven thousand nine hundred and fifty-eight square feet. The respective parcels of land to be more particularly described in the deeds of conveyances.

Hawaiian Commercial and Sugar Co., Ltd., conveyance of land to.

The Secretary of Commerce is further authorized to convey to the Hawaiian Commercial and Sugar Company, Limited (a Hawaiian corporation), all that piece or parcel of land known as lot numbered 1, block "D", of Kahului Townsite, Island of Maui, Territory of Hawaii, containing an area of seven thousand seven hundred and forty square feet:

Proviso
Parcels in exchange.

Provided, That as a condition precedent to such transfer the said Hawaiian Commercial and Sugar Company, Limited, shall first convey to the United States of America, by warranty deed and free of all encumbrances, all that piece or portion of land in grant 3343 to Claus Spreckels, situate in Kahului, Island of Maui, Territory of Hawaii, being lot numbered 7, block "D", of Kahului Townsite, containing an area of seven thousand seven hundred and twenty-seven square feet. The respective parcels of land to be more particularly described in the deeds of conveyances.

Approved, August 12, 1937.

[CHAPTER 607]

AN ACT

August 12, 1937
[H. R. 7766]
[Public, No. 276]

To declare Burr Creek, from Fairfield Avenue southward to Yacht Street in the city of Bridgeport, Connecticut, a nonnavigable stream.

Burr Creek.
Portion of, Bridgeport, Conn., declared nonnavigable.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That that portion of Burr Creek in the city of Bridgeport, Connecticut, lying north of a line across the creek beginning at the point of intersection of the south side of Yacht Street extended and the west harbor line of the harbor lines established by the Secretary of War December 9, 1924, thence south eighty-five degrees forty-six minutes seventeen seconds

east to the east harbor line of said creek, be, and the same is hereby, declared to be not a navigable water of the United States within the meaning of the Constitution and laws of the United States.

SEC. 2. That any project heretofore authorized by any Act of Congress, insofar as such project relates to the above described portion of Burr Creek in the city of Bridgeport, Connecticut, be, and the same is hereby, abandoned. Projects abandoned.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment, etc.

Approved, August 12, 1937.

[CHAPTER 608]

AN ACT

August 12, 1937
[H. R. 7807]
[Public, No. 277]

Authorizing the State Roads Commission of the State of Maryland to construct, maintain, and operate a free highway bridge across Cambridge Creek, in or near Cambridge, Dorchester County, Maryland, to replace a bridge already in existence.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Roads Commission of the State of Maryland be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across Cambridge Creek, at a point suitable to the interests of navigation, in Cambridge, in Dorchester County, Maryland, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act. Cambridge Creek. Maryland may bridge, at Cambridge. Construction. 34 Stat. 84. 33 U. S. C. §§ 491-493.

SEC. 2. There is hereby conferred upon the State Roads Commission of the State of Maryland all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State. Right to acquire real estate, etc. Condemnation proceedings.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved. Amendment.

Approved, August 12, 1937.

[CHAPTER 609]

JOINT RESOLUTION

August 12, 1937
[H. J. Res. 321]
[Pub. Res., No. 58]

Granting the consent of Congress to the minimum-wage compact ratified by the Legislatures of Massachusetts, New Hampshire, and Rhode Island.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the compact for establishing uniform standards for conditions of employment, particularly with regard to the minimum wage, in States ratifying the same, which was signed in Concord, New Hampshire, on May 29, 1934, by representatives of the Governors of Maine, New Hampshire, Connecticut, Massachusetts, Rhode Island, New York, and Pennsylvania, and which was ratified by the Legislature of Massachusetts on June Interstate minimum wage, etc., compact. Ratification by designated States approved and declared effective.

30, 1934, by the Legislature of New Hampshire on May 29, 1935, and by the Legislature of Rhode Island on May 1, 1936, is hereby approved and declared to be effective in said States in accordance with the terms thereof, and hereafter in such States as may at any time ratify the same; which compact is as follows:

Uniform standards for conditions of employment, etc.

COMPACT FOR ESTABLISHING UNIFORM STANDARDS FOR CONDITIONS OF EMPLOYMENT, PARTICULARLY WITH REGARD TO THE MINIMUM WAGE, IN STATES RATIFYING THE SAME

Title I—Policy and intent.

TITLE I—POLICY AND INTENT

Preamble.

Whereas enforcement among the industrial States of the Union of reasonably uniform standards for labor in industry, determined in accordance with the general welfare, would not only benefit labor but would be of real advantage to employers, removing the pressure toward low wages, long hours of work, exploitation of minors and women, and similar action commonly admitted to be injurious to all concerned; and

Whereas the advantages of such uniform standards have already been indicated by the operation of the National Industrial Recovery Act and the codes of fair competition adopted thereunder; and

Whereas such operation points to the desirability of continued uniform legislation affecting labor standards, by Federal action or otherwise, and of joint action by the States to establish such uniform standards; and

Whereas the establishment of reasonably uniform standards in States concerned with the same general fields of industry and competitors in the same markets will afford the advantages of stability in labor legislation to all concerned, with disadvantage to none: Now, therefore

Establishment of compact.

The States whose commissioners have signed this compact and which have, by their legislature, ratified the same, acting to promote the general welfare of the people, do hereby join in establishing the said compact to provide uniform minimum standards affecting labor and industry in the said States: *Provided*, *however*, That nothing herein contained shall be construed as abrogating, repealing, modifying, or interfering with the operation of laws already in effect in any State party hereto which establish standards equivalent to or above those herein specified, nor to prevent or discourage the enactment of additional laws establishing similar or higher standards; nor shall anything herein contained repeal or affect any laws concerning conditions of employment that are not in conflict herewith or that deal with subjects not included herein: *And provided further*, That no part of any title of this compact nor of any legislation adopted in pursuance thereof, except as may be expressly specified in such title or in such legislation, shall be in effect in any State party hereto until this compact shall have been approved as provided in section 6 of title II, but whenever title I and II hereof and any other title included herein are so approved and ratified, such titles shall be in full force and effect as laws of the States so approving and ratifying the same.

Provisos.
Effect on existing laws.

Provisions and legislation ineffective until approval; exception.

Post, p. 635.

Title II—General provisions.

TITLE II—GENERAL PROVISIONS

Administrative agencies.

SECTION 1. Each State party to this compact shall require its administrative agency or agencies charged with the administration and enforcement of this compact and of State laws relating thereto, to make comprehensive and detailed reports concerning the operation

and administration of said compact and laws. Such agency shall report at least once each year and shall send copies of such report to the interstate commission established under the following section, to the Governors of the several ratifying States, and to the appropriate administrative agencies in such States.

Continuing unpaid commission to be provided by each State.

SEC. 2. Each State party hereto shall make provision for a continuing unpaid commission representing industry, labor, and the public, and appointed by the Governor of said State, to deal with the other ratifying States concerning questions arising under this compact and the operation of the same within the limits of their respective States. The chairman of such State commission shall be designated by the Governor and shall be the representative of his State on an interstate commission which shall be composed of the representatives so designated by the several States parties to this compact. The Governors of the signatory States shall request the President of the United States to appoint a representative of the Federal Government to the interstate commission. The expenses of the interstate commission shall be shared equally by the States ratifying this compact. The interstate commission shall annually make a report of its activities and shall furnish copies to the Governors of the ratifying States and to the permanent commissions of such States.

Federal representative.

Questions arising under compact.

SEC. 3. Should any question arise on the part of one or more of the States ratifying this compact, concerning a matter involved in said compact or in any State law adopted in pursuance thereof, then such question shall be brought before the said interstate commission for consideration. Said interstate commission shall make any necessary investigations, shall publish its findings and any recommendations and shall furnish copies of such findings and recommendations to the State commissions in each State party to this compact.

Proposed modifications.

SEC. 4. If any ratifying State should desire a modification of any provision or provisions of this compact, or a revision of the entire compact, or if for any reason it should become desirable to extend the scope of said compact, the aforesaid interstate commission shall, upon the application of one or more of the ratifying States, and after thirty days' notice to the Governors and State commissions of the other States, proceed to consider such application and the reasons advanced for the proposed modification or revision and shall make such recommendations to the ratifying States concerning the same as may seem fitting and proper. Whenever said modification, revision, or extension is ratified in the manner prescribed in section 6 of this title for the ratification of this original compact and the Congress of the United States has consented thereto, then such modification, revision, or extension shall be in full force and effect in the States ratifying the same.

Terms of withdrawal.

SEC. 5. Each State party to this compact agrees that it will not withdraw therefrom until it has reported to the interstate commission the reasons for its desire to withdraw. The interstate commission shall, upon receipt of such report, investigate the situation and shall, within six months, submit its recommendations. If the State still desires to withdraw from the compact, it shall defer such action for two years from the date of the findings of the interstate commission.

When effective.

SEC. 6. Upon ratification by the legislative act of the requisite number of States as specified in subsequent titles of this compact, and with the consent of the Congress of the United States, this compact shall be in full force and effect in the States ratifying the same.

Duties of State after ratification.

Each State so ratifying shall forthwith enact necessary and suitable legislation to establish and maintain the minimum standards set forth in the following title or titles and shall make provision for the

continuing State commission required by section 2 of this title. The appropriate administrative agencies of each State shall thereafter enforce and supervise the operation of the laws relating to this compact and the laws enacted to make the provisions of said compact effective.

Compact open for ratification.

SEC. 7. Any State may at any time become a party to this compact by taking the action required by the preceding section of this title to ratify the same, subject to the consent of the Congress of the United States.

Saving clause

SEC. 8. If any part of this compact or the application thereof to any person or circumstance should be held to be contrary to the constitution of any ratifying State or of the United States, all other separable parts of said compact and the application of such parts to other persons or circumstances shall continue to be in full force and effect.

Title III—Minimum wage.

TITLE III—MINIMUM WAGE

Unfair wage to a woman or minor.

SECTION 1. No employer shall pay a woman, or a minor under twenty-one years of age, an unfair oppressive wage.

Authority of State agency.

SEC. 2. The State agency administering the minimum wage law enacted in conformity with this compact shall have authority to investigate the wages of women and minors; to appoint wage boards, upon which employers, employees, and the public shall have equal representation, for the purpose of recommending minimum fair wage rates for women and minors; and, after a public hearing, to enter directory orders based on the determinations of the wage boards, together with such administrative rulings as are appropriate to make the determinations effective; and may have further authority, without the agency of a wage board, to enter such orders in the case of occupations with less than a specified number of employees.

Administration of oaths, etc.

SEC. 3. The State administrative agency and the wage boards appointed by such agency shall have authority to administer oaths and to require by subpena the attendance and testimony of witnesses and the production of records relative to the wages of women and minors.

Further authority and functions.

SEC. 4. The State administrative agency shall have further authority to inspect to determine compliance with its orders; to publish the names of employers violating a directory order; and, after a directory order has been in effect for a specified period, to make such order mandatory after a public hearing thereon. Such mandatory order shall carry a penalty of fine, imprisonment, or both. Said agency shall have authority to reconvene wage boards or to form new wage boards for the purpose of modifying wage orders. It shall have authority at any time on its own motion to modify administrative regulations after a public hearing thereon.

Issuance of special licenses.

SEC. 5. The State administrative agency shall have authority to issue special licenses to employees who, by reason of physical or mental condition are incapable of earning the minimum fair-wage rate established for the occupation in which they are employed. Said agency shall have authority to take assignment of wage claims at the request of women or minor employees paid less than the minimum wage to which they are entitled under a mandatory order, and to bring legal action necessary to collect such claims. Such employees shall be authorized, under the statute, to recover by civil action the full amount to which they are entitled under a mandatory fair-wage order.

Records to be kept; inspection, etc.

SEC. 6. Employers subject to the minimum-wage laws enacted in conformity herewith shall be required to keep specified records,

including the names, addresses, occupations, hours, and wages of the women and minors in their employ; to permit the inspection and transcript of such records by the State administrative agency and its authorized representatives; and upon request, to furnish said agency with a sworn statement of the same. Employers shall further be required to post and maintain the notices regarding wage orders issued by the State administrative agency.

Posting wage orders.

SEC. 7. Each minimum-wage law so enacted shall contain provisions for appeal to the courts on questions of law by persons aggrieved by the decisions of said agency. Said law shall also contain a provision to the effect that in no case shall wage orders or decrees entered under a previously existing law be nullified until the provisions of the law enacted in conformity herewith have become operative and until new wage orders covering the same occupations have been entered and made effective.

Appeals on questions of law.

SEC. 8. Each minimum-wage law enacted in conformity herewith shall contain a saving clause to the effect that if any provisions of such law or its application be held invalid, the remainder of the law and its application elsewhere shall not be affected thereby.

Laws to contain a saving clause.

SEC. 9. Mandatory fair-wage legislation now in effect in any of the signatory States, and such legislation in course of passage in any of such States as is in conformity with the provisions of this compact, is hereby declared to meet the minimum standards required by this compact.

Prevailing mandatory fair-wage legislation, etc.

SEC. 10. This compact as applied to minimum wage shall, when ratified by two or more States in accordance with the provisions of section 6 of title II, be in full force and effect in the States so ratifying the same.

Effective date.

In witness whereof the commissioners of the States of Connecticut, Maine, New Hampshire, New York, Rhode Island, and of the Commonwealths of Massachusetts and Pennsylvania have signed this compact in a single original which shall be deposited in the archives of the Department of State of the United States of America at Washington, District of Columbia, and of which a duly certified copy shall be forwarded to the Governor of each of the signatory States.

Done at Concord, New Hampshire, this twenty-ninth day of May in the year of our Lord one thousand nine hundred and thirty-four.

(Signed by members of commissions and by delegates of the States of Connecticut, Maine, New Hampshire, New York, Rhode Island, and the Commonwealths of Massachusetts and Pennsylvania.)

Approved, August 12, 1937.

[CHAPTER 618]

AN ACT

August 14, 1937
[S. 1129]
[Public, No. 278]

To authorize the Secretary of the Interior to accept from the State of Utah title to a certain State-owned section of land and to patent other land to the State in lieu thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to accept on behalf of the United States a deed of reconveyance from the State of Utah of all of section 2, township 12 south, range 19 east, Salt Lake meridian, Utah, when accompanied by evidence showing unencumbered title in said State, and in exchange therefor the Secretary of the Interior is hereby further authorized to patent to the State of Utah other vacant, unappropriated, and unreserved public land, whether mineral or nonmineral in character, of approximately equal value, to be

Utah.
Exchange of land with, authorized.

used for the same purpose for which the lands so reconveyed were granted, and to be subject to the same conditions and limitations which applied to said reconveyed lands.

Land reconveyed to become part of naval oil shale reserve

SEC. 2. That upon issuance of patent to the State for the land selected in exchange, the land reconveyed shall become a part of Naval Oil Shale Reserve Numbered 2, Utah Numbered 1, for the exclusive use or benefit of the United States Navy.

Approved, August 14, 1937.

[CHAPTER 619]

AN ACT

August 14, 1937
[H. R. 114]
[Public, No. 279]

To provide for studies and plans for the development of a hydroelectric power project at Cabinet Gorge, on the Clark Fork of the Columbia River, for irrigation pumping or other uses, and for other purposes.

Columbia River, Clark Fork.
Cabinet Gorge power project, plans for developing authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized: (a) To conduct surveys and investigations in order to determine the feasibility and economic usefulness of the development of a hydroelectric power project at the Cabinet Gorge site on the Clark Fork of the Columbia River (near the Montana-Idaho boundary line) for irrigation pumping or other uses; and (b), if such development is determined to be feasible and economically useful, to prepare cost estimates and designs for the construction of a dam at such site and such additional or incidental facilities as are necessary to carry out such development.

Appropriation authorized.
Post, p. 764.

SEC. 2. There is hereby authorized to be appropriated, out of any money not otherwise appropriated, the sum of $25,000, or so much thereof as may be necessary, to carry out the provisions of this Act.

Approved, August 14, 1937.

[CHAPTER 620]

AN ACT

August 14, 1937
[H. R. 4543]
[Public, No. 280]

To amend the Tariff Act of 1930 to exempt vessels arriving for the purpose of taking on ship's stores and certain sea stores from the requirement of formal entry.

Tariff Act of 1930, amendment.
46 Stat. 712
19 U. S. C. § 1441 (4).
Formal entry of vessels arriving to take on ship stores, etc., not required.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (4) of section 441, as amended (exempting certain vessels from the requirement of formal entry), of the Tariff Act of 1930 (U. S. C., 1934 ed., title 19, sec. 1441 (4)) is amended by striking out "or necessary sea stores" wherever appearing in such subsection and inserting in lieu thereof "sea stores, or ship's stores".

Effective date.

SEC. 2. The amendment made by this Act shall take effect on the day following the date of its enactment.

Approved, August 14, 1937.

[CHAPTER 621]

AN ACT

August 14, 1937
[H. R. 4705]
[Public, No. 281]

To authorize the transfer of a certain piece of land in Breckinridge County, Kentucky, to the Commonwealth of Kentucky.

Kentucky.
Designated land in Breckinridge County conveyed to State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized to convey to the Commonwealth of Kentucky for State road purposes, without expense to the United States, all

the right, title, and interest of the United States in and to a certain piece of land in Breckinridge County, Kentucky, described as follows:

Description.

Beginning at a stone, in the southeast corner of the United States reservation at Lock and Dam Numbered 45, Ohio River, which point is north twenty-three degrees eight minutes west thirty-seven feet from a point formerly marked by a stone in Minor's line (now line between L. D. Addison heirs and Burks heirs) at south edge of right-of-way of old road; thence running along the north side of the Stephensport-Cloverport Road south eighty-two degrees thirty-seven minutes west two hundred and fifty-five and one-tenth feet to a stone; thence north eighty-nine degrees forty-two minutes west fifty-four and eighty-five one-hundredths feet to a stake at the intersection of United States property line and the northern limits of right-of-way of proposed Stephensport-Cloverport highway; thence running thirty feet from and parallel with the center line of proposed right-of-way on one degree fifteen minutes curve three hundred and thirteen and ninety-six one-hundredths feet to a stake in the property line between the United States reservation and Pearl Burks; thence running with the said property line south eleven degrees eighteen minutes west thirteen and fifty-six one-hundredths feet to a stone, the point of beginning, containing approximately eight one-hundredths acre.

Reversionary provision.

Such conveyance shall contain the express condition that if the Commonwealth of Kentucky shall at any time cease to use said land for road or highway purposes, or shall alienate or attempt to alienate such land, title thereto shall revert to the United States.

Approved, August 14, 1937.

[CHAPTER 622]

AN ACT

Making further provision for the fisheries of Alaska.

August 14, 1937
[H. R. 5860]
[Public, No. 282]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act approved June 6, 1924, entitled "An Act for the protection of the fisheries of Alaska, and for other purposes" (43 Stat. 464), as amended, is further amended by inserting in said section at the end of the first proviso thereof another proviso to read as follows: "*Provided further*, That in the area embracing Bristol Bay and the arms and tributaries thereof, no person shall at any time fish for or take salmon with a stake net or set net, for commercial purposes, unless such person shall have theretofore continuously resided for the period of at least five years within a radius of thirty miles of the place where such net is staked or set:".

Alaska fisheries.
43 Stat. 464; 44 Stat. 753.
48 U. S. C. § 222.

Bristol Bay.
Taking of salmon with stake net, etc., for commercial purposes, residence requirements.

Approved, August 14, 1937.

[CHAPTER 623]

AN ACT

To provide for the establishment of a Coast Guard station in the vicinity of Fort Myers, Florida.

August 14, 1937
[H. R. 6048]
[Public, No. 283]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to establish a Coast Guard station in the vicinity of Fort Myers, Florida, at such point as the Commandant of the Coast Guard may recommend.

Fort Myers, Fla.
Establishment of Coast Guard station near, authorized.

Approved, August 14, 1937.

[CHAPTER 624]

AN ACT

August 14, 1937
[H. R. 6295]
[Public, No. 284]

To dispense with unnecessary renewals of oaths of office by civilian employees of the executive departments and independent establishments.

Executive departments, etc.
Renewal of oath of office not required in certain cases.
R. S. § 1757.
5 U. S. C. § 16.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That civilian employees of the executive departments and independent establishments of the United States who, upon original appointment, have subscribed to the oath of office required by section 1757 of the Revised Statutes, shall not be required to renew the said oath because of any change in status so long as their services are continuous in the department or independent establishment in which employed, unless in the opinion of the head of the department or independent establishment the public interests require such renewal.

Approved, August 14, 1937.

[CHAPTER 625]

AN ACT

August 14, 1937
[H. R. 6976]
[Public, No 285]

To provide for the establishment of a Coast Guard station on the coast of Alabama at or near Dauphin Island, Alabama.

Dauphin Island, Ala.
Establishment of Coast Guard station authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on the coast of Alabama, at or near Dauphin Island, Alabama.

Approved, August 14, 1937.

[CHAPTER 626]

AN ACT

August 14, 1937
[H. R. 7373]
[Public, No. 286]

To aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes.

Toll bridges on Federal-aid highways.
Existing, becoming free of tolls prior to July 1, 1939; limited aid to, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the case of each and every State, or political subdivision or subdivisions thereof, which, prior to the date of approval of this Act, shall have constructed or acquired any toll bridges on the approved System of Federal-aid highways, and which has caused or shall, prior to July 1, 1939, cause, any such toll bridge, or toll bridges, to be made free, the Secretary of Agriculture shall be, and he is hereby, authorized to pay out of the Federal-aid road funds apportioned to such State not to exceed 50 per centum of such amount as may be approved by the Secretary of Agriculture as the reasonable value or construction cost of any such bridge whichever shall be least: *Provided*, That no payment of Federal funds shall be made on account of any such bridge which was not constructed in accordance with plans and specifications which would meet the standards required by the Secretary of Agriculture at the time such bridge was constructed, nor on account of any bridge the construction of which was completed prior to March 3, 1927: *And provided further*, That no such payment shall be made which will exceed 50 per centum of the reasonable value or cost of the labor and materials which were actually incorporated in the construction of such bridge, excluding all costs of rights-of-way, property damages, and financing costs, whichever, value or cost, shall be least, and any amount so paid on account of any such bridge shall be used by the highway department of such State for match-

Provisos.
Payment forbidden, if not according to Government standards, etc.

Maximum allowance.

Use of, by State.

ing unobligated Federal-aid road funds available to the State, for expenditure in the improvement of highways on the system of Federal-aid highways.

Approved, August 14, 1937.

[CHAPTER 627]

AN ACT

To amend the Act approved March 26, 1934.

August 14, 1937
[H. R. 7512]
[Public, No 287]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved March 26, 1934, to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, be, and is hereby, amended by substitution of the date "July 1, 1933," for "July 15, 1933," as the date from which officers and employees of the United States in service in foreign countries may be reimbursed for losses sustained due to the appreciation of foreign currencies in their relation to the American dollar, and reimbursement of losses sustained for such additional period is authorized to be paid from any unexpended balance of funds appropriated for exchange relief remaining in the Treasury which are otherwise unencumbered.

U. S. employees in foreign countries
48 Stat 466.
5 U S C § 118c.
Reimbursement to meet losses due to foreign currency appreciation.

Approved, August 14, 1937.

[CHAPTER 628]

AN ACT

To amend the Adjusted Compensation Payment Act, 1936, to provide for the escheat to the United States of certain amounts.

August 14, 1937
[H. R. 7741]
[Public, No. 288]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Adjusted Compensation Payment Act, 1936, as amended, is hereby further amended by striking out the period at the end of the first sentence added by the Act approved June 26, 1936 (49 Stat. 1982), and inserting a colon and the following: "*Provided*, That the amount of any such payment (including any payment heretofore made) which, under the law of the State or country pursuant to which the estate of the deceased veteran would be distributed, would otherwise escheat to such State or country, shall escheat to the United States and shall be covered into the general fund of the Treasury."

Adjusted Compensation Payment Act, 1936, amendment.
49 Stat. 1982.
38 U. S. C., Supp. II, § 686c.

Payments; escheat to United States, certain amounts which would otherwise escheat to State, etc.

Approved, August 14, 1937.

[CHAPTER 629]

AN ACT

Creating the Owensboro Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Ohio River at or near Owensboro, Kentucky.

August 14, 1937
[H. R. 7767]
[Public, No. 289]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Owensboro Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission") and its successors and assigns be, and is hereby,

Ohio River.
Owensboro Bridge Commission may bridge, Owensboro, Ky.

authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at or near the city of Owensboro, Kentucky, at a point suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act. For like purposes said Commission and its successors and assigns are hereby authorized to purchase, maintain, and operate all or any ferries across the Ohio River within fifteen miles of the location which shall be selected for said bridge, subject to the conditions and limitations contained in this Act.

Construction.
34 Stat. 84.
33 U. S. C. § 491.

Ferries; purchase, operation, etc.

Acquisition of real estate, etc.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of Indiana and the Commonwealth of Kentucky as may be needed for the location, construction, operation, and maintenance of such bridge and its approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in said State, respectively.

Condemnation proceedings.

Toll charges

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge and such ferry or ferries in accordance with the provisions of this Act.

Bond issue.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches (including the approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the ferry or ferries and the necessary land, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission, bearing interest at not more than 6 per centum per annum, the principal and interest of which bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this Act. Such bonds may be registrable as to principal alone or both principal and interest, shall be in such form not inconsistent with this Act, shall mature at such time or times not exceeding twenty-five years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding one hundred and five and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission, when it deems it to the best interest of the Commission, may issue refunding bonds to repurchase and redeem any outstanding bonds, before the maturity thereof, which it may issue: *Provided*, That the refunding bonds shall mature at such time or times, not exceeding thirty years from date of approval of this Act, as the Commission may determine. The Commission may enter into an agreement with any bond or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the construction, maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of

Form, maturity, denominations, etc.

Repurchase, redemption, etc.

Proviso.
Refunding bonds, maturity.

Trust agreement, provisions.

action of the bondholders as is customary in trust agreements respecting bonds of corporation. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also provisions for approval by the original purchasers of the bonds of the employment of consulting engineers and of the security given by the bridge contractors and by any bank or trust company in which the proceeds of bonds or of bridge or ferry tolls or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers.

Bridge deemed instrumentality for interstate commerce.

The bridge constructed under the authority of this Act shall be deemed to be an instrumentality for interstate commerce, the Postal Service, and military and other purposes authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation.

Tax exemption.

Bond sale, price limitation.

Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 6 per centum interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge and its approaches and the land, easements, and appurtenances used in connection therewith and, in the event the ferry or ferries are to be acquired, also the cost of such ferry or ferries and the lands, easements, and appurtenances used in connection therewith, when added to any other funds made available to the Commission for the use of said purposes.

Financing costs, etc.

The cost of the bridge and approaches and approach highways, and ferry or ferries, shall be deemed to include interest during construction of the bridge, and for twelve months thereafter, and all engineering, legal, architectural, traffic-surveying, and other expenses incident to the construction of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof, including the cost of acquiring existing franchises, right, plans, and works of and relating to the bridge, now owned by any person, firm or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner if, in the judgment of the Commission, such purchases should be found expedient.

Surplus fund placed in sinking fund.

If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess be placed in the sinking fund hereinafter provided.

Temporary bond issue.

Prior to the preparation of definitive bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates with or without coupons or [1] any denomination whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery.

Tolls to be applied to operation, sinking fund, etc.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining,

[1] So in original.

repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than six months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of the tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission or the Government of the United States or any State, county, or municipality in the United States while in the discharge of their duties or municipal police or fire departments when engaged in the proper work of any such department.

Record of expenditures and receipts

Traffic classification.

Exemptions.

Commission not required to operate acquired ferry.

SEC. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any ferry or ferries purchased hereunder, but in the discretion of the Commission or its successors any ferry or ferries so purchased, with the appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned and/or dismantled whenever in the judgment of the Commission or its successors it may seem expedient so to do. The Commission and its successors may fix such rates of toll for the use of such ferry or ferries as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used, so far as may be necessary, to pay the cost of maintaining, repairing, and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for bonds. An accurate record of the cost of purchasing the ferry or ferries; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Ferry tolls, use of.

Record of expenditures and receipts.

Conveyance of Commission's interest after liquidation to Indiana, Kentucky, etc.

SEC. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within Indiana to the State of Indiana or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the Indiana interests) and that part within Kentucky to the Commonwealth of Kentucky or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Kentucky interests), under the condition that the bridge shall thereafter be free of tolls and be properly maintained, operated, and repaired by the Indiana interests and the Kentucky interests, as may be agreed upon; but if either the Indiana interests or the Kentucky interests shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management, until such time as both

Maintenance as free bridge; provision, if either State does not accept.

the Indiana interests and the Kentucky interests shall be authorized to accept and shall accept such conveyance under such conditions. If at the time of such conveyance the Commission or its successors shall not have disposed of such ferry or ferries, the same shall be disposed of by sale as soon as practicable, at such price and upon such terms as the Commission or its successors may determine.

Disposition of ferry.

(a) Notwithstanding any restriction or limitation imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by an Act amendatory of or supplemental to either thereof, the Secretary of Agriculture may extend Federal aid under such Acts, for the construction of said bridge, out of any moneys allocated to the State of Indiana with the consent of the Department of Highways of said State, and out of any moneys allocated to the Commonwealth of Kentucky with the consent of the Department of Highways of said State.

Extension of Federal aid, under designated Acts.
39 Stat. 355, 42 Stat. 212
23 U. S. C. §§ 1–25.

SEC. 8. For the purpose of carrying into effect the objects stated in this Act, there is hereby created the Owensboro Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or other property and apply same to the purposes of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

Owensboro Bridge Commission created; powers

The Commission shall consist of A. S. Griffin, James R. Wilson, Sam C. Coots, W. J. Hinchey, and E. G. Lindeman. Such Commission shall be a body corporate and politic. Each member of the Commission shall qualify within thirty days after the approval of this Act by filing in the office of the Secretary of Agriculture an oath that he will faithfully perform the duties imposed upon him by this Act, and each person appointed to fill a vacancy shall qualify in like manner within thirty days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Secretary of Agriculture. Before the issuance of bonds as hereinabove provided, each member of the Commission shall give such bond as may be fixed by the Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned upon the faithful performance of all duties required by this Act. The Commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

Membership of Commission.

Vacancies.

Bond.

Chairman and vice chairman; rules; quorum.

SEC. 9. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this Act. The members of the Commission shall be entitled to a per-diem compensation for their services of $10 per day for each day actually spent in the business of the Commission, but the maximum compensation of the Chairman in any year shall not exceed $2,500 and of each other member shall not exceed $500. The members of the Commission shall also be entitled to receive traveling-expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorney, and other such experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such

Commission to have no shares of interest, etc; application of receipts.

Compensation, allowance, etc.

Secretary, and other employees.

compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this Act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the Indiana interests and the Kentucky interests as herein provided, and any ferry or ferries shall have been sold, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Owensboro, Kentucky, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date thereof, in a newspaper published in the city of Owensboro. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said Indiana interests and the other to said Kentucky interests.

Dissolution of Commission.

Division of moneys in hand, etc.

Contracts with States for construction, operation, etc.

SEC. 10. Notwithstanding any of the provisions of this Act, the Commission shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Commission of Indiana and the Department of Highways of Kentucky, the city of Owensboro, Daviess County, Kentucky, or any county or municipality in the State of Indiana, whereby the Commission may receive financial aid in the construction of the bridge and approaches thereto, and the Commission may make and enter into any contract or contracts which it deems expedient and proper with the State Highway Commission of Indiana and the Department of Highways of Kentucky, whereby said highway departments or either of them may construct, operate, and maintain or participate with the Commission in the construction, operation, and maintenance of said bridge and approaches. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Ohio River at or near Owensboro, and to authorize the Commission to promote said object and purposes, with full power to contract either with the State Highway Commission of Indiana or the Department of Highways of Kentucky or both in relation to the construction, operation, and maintenance of said bridge and approaches.

Purpose declared

Creation of other obligations, restriction on.

SEC. 11. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this Act. No obligation created or liability incurred pursuant to this Act shall be an obligation or liability of any member or members of the Commission but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Enforcement of Act.

SEC. 12. All provisions of this Act may be enforced or the violation thereof prevented by mandamus, injunction, or other appropriate remedy brought by the attorney general for the State of Indiana, the attorney general for the Commonwealth of Kentucky, or the United States district attorney for any district in which the bridge may be located in part, in any court having competent jurisdiction of the subject matter and of the parties.

Amendment, etc.

SEC. 13. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 14, 1937.

[CHAPTER 630]

AN ACT

To restore the per diem fee of $4 for service of jurors in Federal courts.

August 14, 1937
[H. R. 8007]
[Public, No. 290]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the twenty-third paragraph under the heading "MEDICAL AND HOSPITAL SERVICE" in the Department of Justice Appropriation Act, 1938, approved June 16, 1937, which continues for the fiscal year 1938 the reduction of jurors' fees from $4 to $3, is hereby repealed.

United States courts
Jurors, per diem fee restored
Ante, p. 282
47 Stat. 413.

Approved, August 14, 1937.

[CHAPTER 631]

AN ACT

To amend section 3528 of the Revised Statutes relating to the purchase of metal for minor coins of the United States.

August 14, 1937
[H. R. 8025]
[Public, No. 291]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3528 of the Revised Statutes, as amended (U. S. C., 1934 edition, title 31, sec. 340), is hereby further amended by striking out the figures "$400,000" and inserting in lieu thereof the figures "$600,000".

Minor coin metal fund.
Amount authorized increased
R. S. § 3528
31 U. S. C. § 340.

Approved, August 14, 1937.

[CHAPTER 632]

AN ACT

To provide for a stenographic grade in the office of chief clerks and superintendents in the Railway Mail Service.

August 14, 1937
[H. R. 6341]
[Public, No. 292]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the thirteenth paragraph of section 7 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925 (U. S. C., title 39, sec. 621), is amended to read as follows:

Postal Service.
43 Stat. 1063.
39 U. S. C. § 621.

"Clerks assigned to the office of division superintendent or chief clerk shall be promoted successively to grade 4, and in the office of division superintendent, four clerks may be promoted to grade 5 and eight clerks to grade 6, and in the office of chief clerk, one clerk may be promoted to grade 5 and two clerks to grade 6: *Provided*, That clerks assigned to the position of stenographer may be promoted successively to grade 2, and in division superintendents' offices not exceeding one stenographer may be promoted successively to grade 3: *And provided further*, That no employee shall be reduced in salary as a result of this Act."

Railway Mail Service.
Promotion of clerks in offices of division superintendents, etc.

Provisos.
Stenographer grade, promotion.

No salary reduction.

Approved, August 14, 1937.

[CHAPTER 633]

JOINT RESOLUTION

To authorize the acceptance on behalf of the United States of certain bequests of James Reuel Smith, late of the city of Yonkers, State of New York.

August 14, 1937
[H. J. Res. 446]
[Pub. Res., No. 59]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to accept on behalf of the United States the library and books bequeathed to the United States by the last will and testament of James Reuel Smith and to

James Reuel Smith.
Acceptance of certain bequests of, authorized.

deliver to the Secretary of Commerce, or such officer as he shall designate, said library and books for distribution among and for the use of the various lighthouse stations of the United States Lighthouse Service.

"Redemption of Liberty Bonds Issued in the Year 1918 from Bequest of James Reuel Smith."
Credit of funds to.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to receive on behalf of the United States, for the purpose set forth in the last will and testament of James Reuel Smith, all moneys and other property bequeathed to the United States under the residuary clause of such will, and to deposit said moneys into the Treasury to the credit of a public debt account entitled "Redemption of Liberty Bonds Issued in the Year 1918 from Bequest of James Reuel Smith." The Secretary of the Treasury is further authorized and directed to sell any real or personal property which may be received under the residuary clause of said will, the proceeds of such sales to be deposited in such public debt account. Such account shall be available until expended, for the redemption of Liberty bonds issued in the year 1918 and for no other purpose, and all payments made in the redemption of such bonds shall be made from such account, to the extent it is available, before any such payments are made out of other funds in the Treasury.

Sale of real and personal property; disposition of proceeds.

Restriction on use.

Approved, August 14, 1937.

[CHAPTER 648]

AN ACT

August 16, 1937
[S. 607]
[Public, No. 293]

To authorize improvement of navigation facilities on the Columbia River, and for other purposes.

Columbia River.
Improvement of navigation facilities, Cascade Locks and Hood River, Oreg., authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause such alterations in existing bridges across the Columbia River at Cascade Locks and Hood River, Oregon, as will render navigation for ocean-going vessels in the pool formed by the Bonneville Dam reasonably free, easy, and unobstructed, and to reimburse the owners of said bridges for the actual cost of such alterations from appropriations heretofore or hereafter made for maintenance and improvement of rivers and harbors.

Reimbursement of owners for costs of alterations.

Approved, August 16, 1937.

[CHAPTER 649]

AN ACT

August 16, 1937
[S. 1047]
[Public, No. 294]

To authorize the city of Pierre, South Dakota, to construct, equip, maintain, and operate on Farm Island, South Dakota, certain amusement and recreational facilities; to charge for the use thereof; and for other purposes.

Pierre, S. Dak.
Construction, operation, etc., amusement and recreational facilities, Farm Island, authorized.
25 Stat. 896.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 21, as amended, of the Act entitled "An Act to divide a portion of the reservation of the Sioux Nations of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes", approved March 2, 1889, the city of Pierre, South Dakota, is authorized, for the purpose of maintaining, developing, and policing Farm Island, South Dakota, to construct, equip, maintain, and operate on such island dance pavilions, merry-go-rounds, ferris wheels, ball parks, and other amusement or recreational facilities, and to charge for admission thereto; to construct, equip, and maintain tourist cabins on such island and to charge for the occupancy

Tourist cabins.

thereof; to lease up to one hundred plats of land in such island of not more than two acres each for the erection thereon of private cottages; to require the registration of vehicles entering such island and to charge a fee therefor based upon a single entry or upon the privilege of entering such island for the period of a year; to lease to Girl Scout and Boy Scout organizations such grounds and quarters on such island as may be necessary for their encampments; and to sell beer on such island in compliance with the laws of the State of South Dakota: *Provided*, That this authorization shall be effective only when the city of Pierre or the State legislature shall enact and maintain regulatory provisions of the kind set out in sections 2, 3, 4, and 5 of this Act, in modification of the conditions contained in the Act of March 2, 1889 (25 Stat. L. 888, 897), relating to the purposes for which the said Farm Island may be used; and that until such enactment is certified to the Secretary of the Interior, no part of this Act shall be in effect.

Registration of vehicles

Girl Scout and Boy Scout encampments, ground lease.

Proviso. Authorization conditional

25 Stat. 897.

SEC. 2. The carriage, sale, or gift on such island of any alcoholic beverages other than beer is hereby prohibited and such city is further authorized, for the purposes of detecting and preventing the carriage of such beverages, to provide for the reasonable inspection of persons and vehicles on such island.

Alcoholic beverages, other than beer; sale, etc., prohibited

SEC. 3. All enterprises operated on Farm Island shall be owned and operated by the city of Pierre, and all funds derived from such charges, fees, leases, and sales shall be maintained by the city in a separate fund and shall be used exclusively for the purpose of maintaining, developing, and policing Farm Island.

Municipal ownership of enterprises.

SEC. 4. Farm Island is hereby designated a wild-game refuge. The carriage of firearms on such island by any person other than an official of such city, the State of South Dakota, or the United States, and the hunting, pursuing, poisoning, killing, or capturing by trapping, netting, or any other means or attempting to hunt, pursue, kill, or capture any wild animal or bird for any purpose whatever, within the limits of such island, shall be unlawful. However, it shall be lawful that shotguns may be taken onto the island by members of the Izaak Walton League, or any regularly organized local gun club for the purpose of participating in trapshooting and skeetshooting conducted by such Izaak Walton League or official gun club under such regulations as the city commission of Pierre might adopt.

Island designated a wild-game refuge.

Trapshooting and skeetshooting.

SEC. 5. Whoever violates any provision of this Act shall, upon conviction thereof, be fined not more than $500 or imprisoned not more than six months, or both.

Penalty for violation.

Approved, August 16, 1937.

[CHAPTER 650]

AN ACT

August 16, 1937
[S. 2520]
[Public, No. 295]

Declaring Bayou Savage, also styled Bayou Chantilly, in the city of New Orleans, Louisiana, a nonnavigable stream.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Bayou Savage, also styled Bayou Chantilly, in the city of New Orleans, Louisiana, be, and the same is hereby, declared to be a nonnavigable waterway within the meaning of the Constitution and laws of the United States.

Bayou Savage. Declared nonnavigable, in New Orleans, La.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 16, 1937.

[CHAPTER 651]

AN ACT

August 16, 1937
[S. 1379]
[Public, No. 296]

To authorize the Five Civilized Tribes, in suits heretofore filed under their original Jurisdictional Acts, to present claims to the United States Court of Claims by amended petitions to conform to the evidence; and to authorize said court to adjudicate such claims upon their merits as though filed within the time limitation fixed in said original Jurisdictional Acts.

Five Civilized Tribes of Indians.
Suits filed in Court of Claims under Jurisdictional Acts.
43 Stat. 27, 133, 139, 537; 44 Stat. 568, 45 Stat. 1229.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in suits heretofore filed in the United States Court of Claims by the Five Civilized Tribes under their respective Jurisdictional Acts (Cherokee Nation, Act approved March 19, 1924, 43 Stat. 27; Seminole Nation, Act approved May 20, 1924, 43 Stat. 133; Creek Nation, Act approved May 24, 1924, 43 Stat. 139; Choctaw and Chickasaw Nations, Act approved June 7, 1924, 43 Stat. 537; as amended by joint resolutions approved May 19, 1926; 44 Stat. 568; and February 19, 1929, 45 Stat. 1229), plaintiffs therein shall have the right, prior to January 1, 1938, to amend their petitions to conform to any evidence heretofore filed in said suits, whether such amended petitions develop original claims or present new claims based upon said evidence; and jurisdiction be, and is hereby, conferred upon said Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims which may have been presented by said Indian Nations in any amended petitions heretofore filed, or which may be filed under the terms of this Act; and claims so presented shall be adjudicated by said court upon their merits as though presented by petition filed within the time limited by said respective original Jurisdictional Acts, as amended; and any case presenting claims which may have been dismissed upon the ground that new claims were set up by amended petition, after the expiration of the time limitation fixed in said original Jurisdictional Acts, as amended, shall be reinstated and retried by said court on their merits.

Amendment of petitions to conform to evidence, etc

Jurisdiction conferred.

Reinstatement of certain dismissed claims.

Approved, August 16, 1937.

[CHAPTER 652]

AN ACT

August 16, 1937
[H. R. 2021]
[Public, No. 297]

To provide time credits for substitutes in the motor-vehicle service.

Postal Service.
Substitutes in motor-vehicle service, time credits allowed.

43 Stat. 1065.
39 U. S. C. § 104.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of section 11 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, as amended (U. S. C., 1934 ed., title 39, sec. 104), is hereby amended by adding at the end thereof the following sentence: "Any fractional part of a year's substitute service, rendered after the enactment of this sentence, shall be included with his service as a regular clerk, garageman-driver, driver-mechanic, or general mechanic in the motor-vehicle service, in determining eligibility for promotion to the next higher grade following appointment to a regular position."

Approved, August 16, 1937.

[CHAPTER 653]

AN ACT

To extend the provisions of the forty-hour law for postal employees to watchmen and messengers in the Postal Service.

August 16, 1937
[H. R. 2738]
[Public, No. 298]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act entitled "An Act to fix the hours of duty of postal employees, and for other purposes", approved August 14, 1935, is amended by striking out the words "and laborers" and inserting in lieu thereof the following: "laborers, watchmen, and messengers".

Approved, August 16, 1937.

Postal Service.
Shorter work week provisions extended to watchmen and messengers.
49 Stat. 650.
39 U. S. C., Supp. II, § 832.

[CHAPTER 654]

AN ACT

To quiet title and possession with respect to certain lands in Tuscumbia, Alabama.

August 16, 1937
[H. R. 3421]
[Public, No. 299]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States in and to all the unsubdivided land in and the strip of land known as the Commons surrounding the city of Tuscumbia, formerly Cold Water Spring, Alabama, as shown by plat made by John Coffee, surveyor, which plat shows the town as embracing the south half section 4, the southeast quarter section 5, the northeast quarter section 8, and the north half section 9, township 4 south, range 11 west, Huntsville meridian, which said town was established under sections 3 and 5 of the Act of March 3, 1817 (3 Stat. 375), and section 2 of the Act of April 20, 1818 (3 Stat. 467), be, and the same is hereby, released, relinquished, and confirmed by the United States to the city of Tuscumbia, Alabama, or to the owners of the equitable titles thereto, as fully and completely, in every respect whatever, as could be done by patents issued according to law: *Provided*, That this Act shall amount only to a relinquishment of any title the United States has, or is supposed to have, in and to any of said lands, and shall not be construed to abridge, impair, injure, prejudice, or divest in any manner any valid right, title, or interest of any person or body corporate whatever, the true intent of this Act being to concede and abandon all right, title, and interest of the United States to the city of Tuscumbia or to those persons, estates, firms, or corporations who would be the equitable owners of said lands under the laws of the State of Alabama in the absence of the said interest, title, and estate of the United States: *Provided further*, That the title and rights hereby released and quitclaimed shall be subject to the right of the United States or any agency thereof to overflow the lands described herein as the result of projects for the improvement of navigation upon the Tennessee River.

Approved, August 16, 1937.

Tuscumbia, Ala.
Certain land relinquished to city or owners of equitable titles thereto.

3 Stat. 375, 467.

Provisos.
United States title only relinquished.

Rights reserved.

[CHAPTER 655]

AN ACT

To provide for the conveyance by the United States to the county of Beaufort, South Carolina, of the Hunting Island Lighthouse Reservation.

August 16, 1937
[H. R. 4642]
[Public, No. 300]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the condition hereinafter specified, the Director of Procurement, subject to the approval of the Secretary of the Treasury, is authorized and directed to convey to the county of Beaufort, South Carolina, all

Hunting Island Lighthouse Reservation, S. C.
Conveyance of, to Beaufort County, S. C., authorized.

the right, title, and interest of the United States in and to the two parcels of land (together with all improvements thereon) constituting the Hunting Island Lighthouse Reservation, situated on the island known as Hunting Island, in the county of Beaufort, South Carolina. Such conveyance shall contain the express condition that if the county of Beaufort, South Carolina, shall at any time cease to use the property as a public park for public recreation or as a game sanctuary, or both, or shall alienate or attempt to alienate such property in any manner other than that authorized by section 1 of the joint resolution of the General Assembly of the State of South Carolina, approved June 2, 1936, authorizing the development of Hunting Island, title thereto shall revert to the United States.

Reversionary provision.

Approved, August 16, 1937.

[CHAPTER 656]

AN ACT

August 16, 1937
[H. R. 5859]
[Public, No. 301]

Authorizing the Territory of Alaska to transfer a certain tract of land to Sitka Cold Storage Company, a corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Territory of Alaska, through the Governor of Alaska, is hereby authorized to transfer and convey to the Sitka Cold Storage Company, a corporation organized and existing under the laws of the Territory of Alaska, that certain portion of the land granted to the Territory by the provisions of Public Law Numbered 134, Seventy-third Congress, approved March 27, 1934 (48 Stat. 502), entitled "An Act granting abandoned public buildings and grounds at Sitka, Alaska, to the Territory of Alaska, and for other purposes", subject to the reservation of all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same contained in said Act of March 27, 1934, said portion of the land described in said Act of March 27, 1934, being described as follows, to wit:

Sitka Cold Storage Company.
Conveyance of certain land to, authorized.

48 Stat. 502.

Reservation of minerals, etc.

Description.

Beginning at corner numbered 1, identical with corner numbered 1 United States Forest Service reserve, and also with corner numbered 4, United States reserve for public common, as shown on the plat of Sitka Townsite, Alaska, United States survey numbered 1474, tract A, from which point USRLM numbered 1, established in connection with the Sitka Townsite United States survey numbered 1474, marked by a cross "x" and "USRLM No. 1" chiseled on a large bedrock face in the Indian schoolyard, bears north eleven degrees two minutes east two hundred and ninety-three and eight-tenths feet distant, and the southeast corner of the Sitka Cold Storage Company building A bears north twenty-nine degrees thirty-five minutes west three and five-tenths feet, thence north 1 degree four minutes west four and two-tenths feet to corner numbered 2 on the west-side line of an unnamed street, called hereinafter "Waterfront Street", from which corner the southeast corner of said Sitka Cold Storage Company building A bears south exactly sixty degrees west one and five-tenths feet, thence north twenty-nine degrees thirty-five minutes west exactly ninety feet along the west-side line of said Waterfront Street and parallel to and one and five-tenths feet east therefrom the east end of said Sitka Cold Storage Company building A to corner numbered 3 from which corner the northeast corner of said building bears south exactly sixty degrees west one and five-tenths feet distant, thence north thirty-eight degrees fifty-one minutes west fifty and twenty-two one-hundredths feet along the west-side line of

said Waterfront Street to corner numbered 4, a point on the northwest boundary line of said United States survey numbered 1474, tract A, identical with the northwest boundary line of said United States reserve for public common and the northwest boundary line of said Pioneers Home tract; from which corner the northeast corner of the Harbor Store Building, same being property of the Sitka Cold Storage Company, bears south thirty-one degrees six minutes east sixteen and five-tenths feet distant, thence south exactly thirty-five degrees west thirty-six and fifty one-hundredths feet along and identical with said northwest boundary (13–14) line of said United States survey numbered 1474, tract A; northwest boundary (7–6) line United States reserve for public common and northwest boundary line Pioneers Home tract to corner numbered 5, meander corner, at line of mean high tide on east shore of Sitka Harbor identical with corner numbered 14, meander corner said United States survey numbered 1474, tract A, and corner numbered 6, meander corner, said United States reserve for public common, and with a meander corner of said Pioneers Home tract, thence with meanders, along the east shore of Sitka Harbor, identical with the meander line of said United States survey numbered 1474, tract A, of said United States reserve for public common and of said Pioneers Home tract, under the said Harbor Store Building and the Sitka Cold Storage Company building A, south thirty-seven degrees nineteen minutes east fifty-seven and nine one-hundredths feet, south twenty degrees twenty-three minutes west forty-three and forty-three one-hundredths feet, south eighty-two degrees fifty-six minutes west thirty-one and fifty-six one-hundredths feet, south seventy degrees seven minutes west exactly twenty-nine feet, south fifteen degrees fifty-one minutes east nineteen and thirty-seven one-hundredths feet, south two degrees fifty-one minutes east thirty-six and seventeen one-hundredths feet, south seventy-six degrees fifty-one minutes east fourteen and fifty-nine one-hundredths feet, to corner numbered 6, meander corner, identical with corner numbered 5, meander corner of said United States reserve for public common, and with corner numbered 5, meander corner, of said United States Forest Service reserve, and with corner of the said Pioneers Home tract; thence north exactly sixty degrees east one hundred and thirty-two and forty-four one-hundredths feet along the 5–1 boundary line of the said United States Forest Service reserve, identical with the 5–4 boundary line of the said United States reserve for public common, and a boundary of the said Pioneers Home tract, and parallel to, and three and five-tenths feet south of the south side of, the Sitka Cold Storage Company building A to corner numbered 1, the place of beginning, containing four-hundred-and-seventy-two one-thousandths acre.

Approved, August 16, 1937.

[CHAPTER 657]

AN ACT

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

August 16, 1937
[H. R. 5969]
[Public, No. 302]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as approved July 1, 1898, and

Bankruptcy Act of 1898, amendment.
30 Stat. 544.

Acts amendatory thereof and supplementary thereto be, and they are hereby, amended by adding thereto a new chapter, to be designated "chapter X", to be and read as follows:

"CHAPTER X

"ADDITIONAL JURISDICTION

Additional jurisdiction.

Compositions of indebtedness of taxing agencies, etc.

"SEC. 81. This Act and proceedings thereunder are found and declared to be within the subject of bankruptcies and, in addition to the jurisdiction otherwise exercised, courts of bankruptcy shall exercise original jurisdiction as provided in this chapter for the composition of indebtedness of, or authorized by, any of the taxing agencies or instrumentalities hereinafter named, payable (a) out of assessments or taxes, or both, levied against and constituting liens upon property in any of said taxing agencies or instrumentalities, or (b) out of property acquired by foreclosure of any such assessments or taxes or both, or (c) out of income derived by such taxing agencies or instrumentalities from the sale of water or power or both, or (d) from any combination thereof; (1) Drainage, drainage and levee, levee, levee and drainage, reclamation, water, irrigation, or other similar districts, commonly designated as agricultural improvement districts or local improvement districts, organized or created for the purpose of constructing, improving, maintaining, and operating certain improvements or projects devoted chiefly to the improvement of lands therein for agricultural purposes; or (2) local improvement districts such as sewer, paving, sanitary, or other similar districts, organized or created for the purposes designated by their respective names; or (3) local improvement districts such as road, highway, or other similar districts, organized or created for the purpose of grading, paving, or otherwise improving public streets, roads, or highways; or (4) public-school districts or public-school authorities organized or created for the purpose of constructing, maintaining, and operating public schools or public-school facilities; or (5) local improvement districts such as port, navigation, or other similar districts, organized or created for the purpose of constructing, improving, maintaining, and operating ports and port facilities; or (6) any city, town, village, borough, township, or other municipality: *Provided, however*, That if any provision of this chapter, or the application thereof to any such taxing agency or district or class thereof or to any circumstance, is held invalid, the remainder of the chapter, or the application of such provision to any other or different taxing agency or district or class thereof or to any other or different circumstances, shall not be affected by such holding.

Agricultural improvement districts.

Sewer, paving, etc., districts.

Highway, etc., districts.

Public-school districts

Port, navigation, etc., districts.

Municipalities.

Proviso.

Separability provision.

"DEFINITION

Definitions.

"SEC. 82. The following terms as used in this chapter, unless a different meaning is plainly required by the context, shall be construed as follows:

"Petitioner."

"That the term 'petitioner' shall include any taxing agency or instrumentality referred to in section 81 of this chapter.

"Security."

"The term 'security' shall include bonds, notes, judgments, claims, and demands, liquidated or unliquidated, and other evidences of indebtedness, either secured or unsecured, and certificates of beneficial interest in property.

"Creditor."

"The term 'creditor' means the holder of a security or securities.

U. S. agency holding securities, etc., deemed a creditor.

"Any agency of the United States holding securities acquired pursuant to contract with any petitioner under this chapter shall be deemed a creditor in the amount of the full face value thereof.

"The term 'security affected by the plan' means a security as to which the rights of its holder are proposed to be adjusted or modified materially by the consummation of a composition agreement. "Security affected by the plan."

"The singular number includes the plural and the masculine gender the feminine. Number and gender.

"COMPOSITIONS Compositions

"SEC. 83. (a) Any petitioner may file a petition hereunder stating that the petitioner is insolvent or unable to meet its debts as they mature and that it desires to effect a plan for the composition of its debts. The petition shall be filed with the court in whose territorial jurisdiction the petitioner or the major part thereof is located, and, in the case of any unincorporated tax or special-assessment district having no officials of its own, the petition may be filed by its governing authority or the board or body having authority to levy taxes or assessments to meet the obligations to be affected by the plan of composition. The petition shall be accompanied by payment to the clerk of a filing fee of $100, which shall be in lieu of the fees required to be collected by the clerk under other applicable chapters of the Uniform Bankruptcy Act of 1898, as amended. The petition shall state that a plan of composition has been prepared, is filed and submitted with the petition, and that creditors of the petitioner owning not less than 51 per centum in amount of the securities affected by the plan (excluding, however, any such securities owned, held, or controlled by the petitioner), have accepted it in writing. There shall be filed with the petition a list of all known creditors of the petitioner, together with their addresses so far as known to petitioner, and description of their respective securities showing separately those who have accepted the plan of composition, together with their separate addresses, the contents of which list shall not constitute admissions by the petitioner in a proceeding under this chapter or otherwise. Upon the filing of such a petition the judge shall enter an order either approving it as properly filed under this chapter, if satisfied that such petition complies with this chapter and has been filed in good faith, or dismissing it, if not so satisfied.

Petition for composition of debts.

Filing fee

Contents of petition, plan to accompany; acceptance by majority of creditors.

List of known creditors to be filed

Court order approving or dismissing petition.

"The 'plan of composition', within the meaning of this chapter, may include provisions modifying or altering the rights of creditors generally, or of any class of them, secured or unsecured, either through issuance of new securities of any character, or otherwise, and may contain such other provisions and agreements not inconsistent with this chapter as the parties may desire.

"Plan of composition", provisions.

"No creditor shall be deemed to be affected by any plan of composition unless the same shall affect his interest materially, and in case any controversy shall arise as to whether any creditor or class of creditors shall or shall not be affected, the issue shall be determined by the judge, after hearing, upon notice to the parties interested.

Class of creditors affected.

"For all purposes of this chapter any creditor may act in person or by an attorney or a duly authorized agent or committee. Where any committee, organization, group, or individual shall assume to act for or on behalf of creditors, such committee, organization, group, or individual shall first file with the court in which the proceeding is pending a list of the creditors represented by such committee, organization, group, or individual, giving the name and address of each such creditor, together with a statement of the amount, class, and character of the security held by him, and attach thereto copies of the instrument or instruments in writing signed by the owners of the bonds showing their authority, and shall file with the list a copy of the contract or agreement entered into between such committee,

Creditor may act in person or by agent, etc.

Group representation; requirements.

organization, group, or individual and the creditors represented by it or them, which contract shall disclose all compensation to be received, directly or indirectly, by such committee, organization, group, or individual, which agreed compensation shall be subject to modification and approval by the court.

Compensation; approval by court.

Procedure when petition approved.

"(b) Upon approving the petition as properly filed, or at any time thereafter, the judge shall enter an order fixing a time and place for a hearing on the petition, which shall be held within ninety days from the date of said order, and shall provide in the order that notice shall be given to creditors of the filing of the petition and its approval as being properly filed, and of the time and place for the hearing. The judge shall prescribe the form of the notice, which shall specify the manner in which claims and interests of creditors shall be filed or evidenced, on or before the date fixed for the hearing. The notice shall be published at least once a week for three successive weeks in at least one newspaper of general circulation published within the jurisdiction of the court, and in such other paper or papers having a general circulation among bond dealers and bondholders as may be designated by the court, and the judge may require that it may be published in such other publication as he may deem proper. The judge shall require that a copy of the notice be mailed, postage prepaid, to each creditor of the petitioner named in the petition at the address of such creditor given in the petition, or, if no address is given in the petition for any creditor and the address of such creditor cannot with reasonable diligence be ascertained, then a copy of the notice shall be mailed, postage prepaid, to such creditor addressed to him as the judge may prescribe. All expense of giving notice as herein provided shall be paid by the petitioner. The notice shall be first published, and the mailing of copies thereof shall be completed at least sixty days before the date fixed for the hearing.

Notice to creditors

Publication of notice; copy to each creditor.

Answer by creditor controverting allegations, objections.

"At any time not less than ten days prior to the time fixed for the hearing, any creditor of the petitioner affected by the plan may file an answer to the petition controverting any of the material allegations therein and setting up any objection he may have to the plan of composition. The judge may continue the hearing from time to time if the percentage of creditors required herein for the confirmation of the plan shall not have accepted the plan in writing, or if for any reason satisfactory to the judge the hearing is not completed on the date fixed therefor. At the hearing, or a continuance thereof, the judge shall decide the issues presented and unless the material allegations of the petition are sustained, shall dismiss the proceeding. If, however, the material allegations of the petition are sustained, the judge shall classify the creditors according to the nature of their respective claims and interests: *Provided, however,* That the holders of all claims, regardless of the manner in which they are evidenced, which are payable without preference out of funds derived from the same source or sources shall be of one class. The holders of claims for the payment of which specific property or revenues are pledged, or which are otherwise given preference as provided by law, shall accordingly constitute a separate class or classes of creditors.

Extension of hearing.

Decision on issues presented

Proviso
Payment of claim holders without preference

Preferential, etc., holders.

"At the hearing, or a continuance thereof, the judge may refer any matters to a special master for consideration, the taking of testimony, and a report upon special issues, and may allow reasonable compensation for the services performed by such special master, and the actual and necessary expenses incurred in connection with the

Reference to special master for consideration.

proceeding, including compensation for services rendered and expenses incurred in obtaining the deposit of securities and the preparation of the plan, whether such work may have been done by the petitioner or by committees or other representatives of creditors, and may allow reasonable compensation for the attorneys or agents of any of the foregoing, and may apportion the amount so determined among the parties to the proceeding as may be just: *Provided, however*, That no fees, compensation, reimbursement, or other allowances for attorneys, agents, committees, or other representatives of creditors shall be assessed against the petitioner or paid from any revenues, property, or funds of the petitioner except in the manner and in such sums, if any, as may be provided for in the plan of composition. An appeal may be taken from any order making such determination or award to the United States Circuit Court of Appeals for the circuit in which the proceeding under this chapter is pending, independently of other appeals which may be taken in the proceeding, and such appeal shall be heard summarily.

Proviso
Assessment of fees, etc.

Appeals from orders.

"On thirty days' notice by any creditor to petitioner, the judge, if he finds that the proceeding has not been prosecuted with reasonable diligence, or that it is unlikely that the plan will be accepted by said proportion of creditors, may dismiss the proceeding.

Authority of judge.
Dismissal of proceeding.

"(c) Upon entry of the order fixing the time for the hearing, or at any time thereafter, the judge may upon notice enjoin or stay, pending the determination of the matter, the commencement or continuation of suits against the petitioner, or any officer or inhabitant thereof, on account of the securities affected by the plan, or to enforce any lien or to enforce the levy of taxes or assessments for the payment of obligations under any such securities, or any suit or process to levy upon or enforce against any property acquired by the petitioner through foreclosure of any such tax lien or special assessment lien, except where rights have become vested, and may enter an interlocutory decree providing that the plan shall be temporarily operative with respect to all securities affected thereby and that the payment of the principal or interest, or both, of such securities shall be temporarily postponed or extended or otherwise readjusted in the same manner and upon the same terms as if such plan had been finally confirmed and put into effect, and upon the entry of such decree the principal or interest, or both, of such securities which have otherwise become due, or which would otherwise become due, shall not be or become due or payable, and the payment of all such securities shall be postponed during the period in which such decree shall remain in force, but shall not, by any order or decree, in the proceeding or otherwise, interfere with (a) any of the political or governmental powers of the petitioner; or (b) any of the property or revenues of the petitioner necessary for essential governmental purposes; or (c) any income-producing property, unless the plan of composition so provides.

Stay of suits, etc.

Enforcement of assessments, etc.

Temporary operation of plan on securities affected.

Readjustment of securities.

"(d) The plan of composition shall not be confirmed until it has been accepted in writing, by or on behalf of creditors holding at least two-thirds of the aggregate amount of claims of all classes affected by such plan and which have been admitted by the petitioner or allowed by the judge, but excluding claims owned, held, or controlled by the petitioner: *Provided, however*, That it shall not be requisite to the confirmation of the plan that there be such acceptance by any creditor or class of creditors (a) whose claims are not affected by the plan; or (b) if the plan makes provision for the payment of their claims in cash in full; or (c) if provision

Plan of composition.
Acceptance by creditors before confirmation.

Proviso.
Classes of creditors from whom acceptance not required.

is made in the plan for the protection of the interests, claims, or lien of such creditors or class of creditors.

Confirmation of plan, etc., by court. Findings required.

"(e) At the conclusion of the hearing, the judge shall make written findings of fact and his conclusions of law thereon, and shall enter an interlocutory decree confirming the plan if satisfied that (1) it is fair, equitable, and for the best interests of the creditors and does not discriminate unfairly in favor of any creditor or class of creditors; (2) complies with the provisions of this chapter; (3) has been accepted and approved as required by the provisions of subdivision (d) of this section; (4) all amounts to be paid by the petitioner for services or expenses incident to the composition have been fully disclosed and are reasonable; (5) the offer of the plan and its acceptance are in good faith; and (6) the petitioner is authorized by law to take all action necessary to be taken by it to carry out the plan. If not so satisfied, the judge shall enter an order dismissing the proceeding.

Changes and modifications allowed.

Rights and acts of creditor.

"Before a plan is confirmed, changes and modifications may be made therein, with the approval of the judge after hearing upon such notice to creditors as the judge may direct, subject to the right of any creditor who shall previously have accepted the plan to withdraw his acceptance, within a period to be fixed by the judge and after such notice as the judge may direct, if, in the opinion of the judge, the change or modification will be materially adverse to the interest of such creditor, and if any creditor having such right of withdrawal shall not withdraw within such period, he shall be deemed to have accepted the plan as changed or modified: *Provided*, *however*, That the plan as changed or modified shall comply with all the provisions of this chapter and shall have been accepted in writing by the petitioner. Either party may appeal from the interlocutory decree as in equity cases. In case said interlocutory decree shall prescribe a time within which any action is to be taken, the running of such time shall be suspended in case of an appeal until final determination thereof. In case said decree is affirmed, the judge may grant such time as he may deem proper for the taking of such action.

Proviso. Conformity with provisions of chapter.

Appeal.

Running of time suspended on appeal.

Confirmatory decree binding upon all creditors.

"(f) If an interlocutory decree confirming the plan is entered as herein provided, the plan and said decree of confirmation shall become and be binding upon all creditors affected by the plan, if within the time prescribed in the interlocutory decree, or such additional time as the judge may allow, the money, securities, or other consideration to be delivered to the creditors under the terms of the plan shall have been deposited with the court or such disbursing agent as the court may appoint or shall otherwise be made available for the creditors. And thereupon the court shall enter a final decree determining that the petitioner has made available for the creditors affected by the plan the consideration provided for therein and is discharged from all debts and liabilities dealt with in the plan except as provided therein, and that the plan is binding upon all creditors affected by it, whether secured or unsecured, and whether or not their claims have been filed or evidenced, and, if filed or evidenced, whether or not allowed, including creditors who have not, as well as those who have, accepted it.

Certified copy of decree or order as evidence of jurisdiction of court.

"(g) A certified copy of the final decree, or of any other decree or order entered by the court or the judge thereof, in a proceeding under this chapter, shall be evidence of the jurisdiction of the court, the regularity of the proceedings, and the fact that the decree or order was made. A certified copy of an order providing for the transfer of any property dealt with by the plan shall be evidence of the trans-

Order directing property transfer, effect of.

fer of title accordingly and, if recorded as conveyances are recorded, shall impart the same notice that a deed, if recorded, would impart.

"(h) This chapter shall not be construed as to modify or repeal any prior, existing statute relating to the refinancing or readjustment of indebtedness of municipalities, political subdivisions, or districts: *Provided, however*, That the initiation of proceedings or the filing of a petition under section 80 shall not constitute a bar to the same taxing agency or instrumentality initiating a new proceeding under section 81 thereof.

Provisions not to affect existing law, etc.

Proviso. Initiating, etc., proceedings; effect of.

"(i) Nothing contained in this chapter shall be construed to limit or impair the power of any State to control, by legislation or otherwise, any municipality or any political subdivision of or in such State in the exercise of its political or governmental powers, including expenditures therefor.

State control over political subdivisions not impaired.

"TERMINATION OF JURISDICTION

"SEC. 84. Jurisdiction conferred on any court by section 81 shall not be exercised by such court after June 30, 1940, except in respect of any proceeding initiated by filing a petition under section 83 (a) on or prior to June 30, 1940."

Termination of jurisdiction.

Approved, August 16, 1937.

[CHAPTER 658]

AN ACT

Authorizing the Secretary of Commerce to accept title to a certain parcel of land at Gaithersburg, Maryland.

August 16, 1937
[H. R. 6145]
[Public, No. 303]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized and empowered to accept, on behalf of the United States, title, by deed from the heirs at law of Ignatius T. and Elizabeth M. Fulks (pursuant to the leasehold interest created by a contract of April 1, 1899, between the said Ignatius T. and Elizabeth M. Fulks and the Superintendent of the United States Coast and Geodetic Survey), to the following-described property situated and lying in Gaithersburg, Montgomery County, Maryland, to wit: Beginning at a stone planted in the ground at the intersection of the lines of the lands of the said Ignatius T. Fulks, Vandelia Owen, and Philemon M. Smith, and running thence south forty-six degrees thirty minutes west three hundred feet; thence south forty-three degrees thirty minutes east two hundred and seventy feet; thence north forty-six degrees thirty minutes east four hundred and forty-four and six-tenths feet; thence north seventy-one degrees forty minutes west fifty-three and five-tenths feet to a stone; still north seventy-one degrees forty minutes west two hundred and fifty-two and eight-tenths feet to the place of beginning, containing two and three hundred and seven one-thousandths acres of land, more or less; together with all the improvements thereon, and the rights and appurtenances thereto belonging or appertaining, including the present right-of-way from the entrance of the property to the Frederick Road.

Gaithersburg, Md. Acceptance of title to certain land in, authorized.

Description.

Acquisition of the title to said property under this Act shall be without expense to the United States, except the expense of conveyancing and the expense of making an abstract of title to said property.

Restriction on expense.

Approved, August 16, 1937.

[CHAPTER 659]

AN ACT

August 16, 1937
[H. R. 6384]
[Public, No. 304]

To liberalize the provisions of existing laws governing service-connected benefits for World War veterans and their dependents, and for other purposes.

World War veterans.
Payment of compensation to widows and children of.
48 Stat. 1281; 49 Stat. 2031.
38 U. S. C. §§ 503-507; Supp. II, § 508.
Not denied if veteran was entitled to 20 per cent disability pay, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of Public Law Numbered 484, Seventy-third Congress, June 28, 1934 (U. S. C., 1934 edition, title 38, secs. 503–507), as amended by section 1, Public Law Numbered 844, Seventy-fourth Congress, June 29, 1936 (U. S. C., title 38, sec. 508), in no event shall the widow, child, or children otherwise entitled to compensation under the provisions of that Act be denied such compensation if the veteran's death resulted from a disease or disability not service connected, and at the time of the veteran's death he was receiving or entitled to receive compensation, pension, or retirement pay for 20 per centum disability or more presumptively or directly incurred in or aggravated by service in the World War: *Provided*, That a widow shall not be entitled to compensation under this section unless a child was born of her marriage to the veteran: *Provided further*, That except as provided in section 6 of this Act, compensation authorized by this section shall not be payable effective prior to the receipt of application therefor in the Veterans' Administration in such form as the Administrator of Veterans' Affairs may prescribe, but in no event shall compensation herein authorized be effective prior to the date of enactment of this Act.

Provisos.
Condition.

Beginning of payments

48 Stat. 1282.
38 U. S. C. § 506.

SEC. 2. That section 4 of Public Law Numbered 484, Seventy-third Congress, June 28, 1934 (48 Stat. 1282; U. S. C., title 38, sec. 506), is hereby amended to read as follows:

Evidence and adjudication of claims.

"That for the purpose of awarding compensation under the provisions of this Act, as amended, service connection of disability and degree thereof at date of death may be determined in any case where claim has been or is filed by the widow, child, or children of a deceased World War veteran, except that proof of 20 per centum disability or more at date of death and evidence as to service connection must be filed no later than three years after date of enactment of this Act, or the date of death, whichever is the later, and evidence required in connection with any claim must be submitted in accordance with regulations prescribed by the Administrator of Veterans' Affairs."

Rates of death compensation.

SEC. 3. That effective on the first day of the month next following the date of enactment of this Act, the rates of death compensation payable under the provisions of existing laws or veterans' regulations to a surviving widow, child, or children, and/or dependent mother or father now on the rolls or hereafter to be placed on the rolls as a surviving widow, child, or children, and/or dependent mother or father of any World War veteran who died as the result of injury or disease incurred in or aggravated by active military or naval service in the World War, shall be as follows:

Widow, age under fifty years, $30; widow, age fifty to sixty-five years, $37.50; widow, age sixty-five years or over, $45; widow with one child, $10 additional for such child up to ten years of age, increased to $15 from age ten (with $8 for each additional child up to ten years of age, increased to $13 from age ten) (subject to apportionment regulations); no widow but one child, $20; no widow but two children, $33 (equally divided); no widow but three children, $46 (equally divided); (with $8 for each additional child; total amount to be equally divided); dependent mother or father, $45 (or both) $25 each. As to the widow, child, or children, the total compensation payable under this paragraph shall not exceed $75. The

Maximum compensation.

amount of the compensation herein authorized shall be paid in the event the monthly payment of compensation under Veterans' Regulation Numbered 1 (g) and the monthly payment of yearly renewable term, automatic, or United States Government life (converted) insurance does not aggregate or exceed the amount of compensation herein authorized.

Effective date of awards.

As to the surviving widow, child, or children, and/or dependent mother or father on the rolls on the date of enactment of this Act, any increased award herein authorized shall be effective from the date of enactment of this Act and in all other cases, except as provided in section 6 of this Act, effective dates of awards shall be governed by the provisions of veterans' regulations promulgated under Public Law Numbered 2, Seventy-third Congress, March 20, 1933.

48 Stat. 8

"Widow of a World War veteran" defined.

SEC. 4. That on and after the date of enactment of this Act, for the purpose of payment of compensation under the laws administered by the Veterans' Administration, the term "widow of a World War veteran" shall mean a woman—

(a) (1) Who was married to the person who served prior to or during the period of service on which the claim is based; or

(2) Who was married to the person who served prior to July 3, 1931; or

(3) Who was married to the person who served at any time, provided a child was born of such marriage.

Marital, etc., requirements.

(b) No compensation shall be paid to a widow unless there was continuous cohabitation with the person who served from the date of marriage to date of death, except where there was a separation which was due to the misconduct of or procured by the person who served, without the fault of the widow.

Validity of marriage to be proven.

(c) All marriages shall be proven as valid marriages according to the law of the place where the parties resided at the time of marriage, or of the law of the place where the ceremony was performed at the time thereof, or the law of the place where the parties resided when the right to pension hereunder accrued.

Remarried widows.

(d) Compensation shall not be allowed a widow who has remarried either once or more than once, and where compensation is properly discontinued by reason of remarriage it shall not thereafter be recommenced.

World War service, period defined.

SEC. 5. That notwithstanding any provision of law or veterans' regulation, except as to emergency officers' retirement pay, reenlistment in the military or naval service on or after November 12, 1918, and before July 2, 1921, where there was prior service between April 6, 1917, and November 11, 1918, shall be considered as World War service under the laws providing benefits for World War veterans and their dependents.

Effective date of death compensation awards.

SEC. 6. That notwithstanding any provision of law or veterans' regulation, awards of death compensation shall be effective as of the date of death of the World War veteran if claim is filed within one year after the death of such veteran.

43 Stat. 624.
38 U. S. C. § 511.

SEC. 7. That a new section is hereby added to title III, World War Veterans' Act, 1924, as amended (U. S. C., title 38), to be known as section 312, and to read as follows:

Permanent disability; definition, application of term.

"SEC. 312. Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, shall be deemed total permanent disability for insurance purposes. This section shall be deemed to be in effect on and after April 6, 1917, and shall apply only to automatic insurance, yearly renewable term insurance, and United States Government life (converted) insurance issued prior to December 15, 1936."

Disappearance of incompetent veteran receiving; payment to dependents
48 Stat. 524.

SEC. 8. That where an incompetent World War veteran, receiving disability compensation under title III of the Act of March 28, 1934 (Public Law Numbered 141, Seventy-third Congress), disappears, the Administrator of Veterans' Affairs, in his discretion, may pay to the dependents of such veteran the amount of compensation payable to dependents of deceased veterans who die from war service-connected disabilities: *Provided*, That in no event shall payment made under this Act in any claim exceed the amount of compensation payable at the time of the veteran's disappearance.

Proviso.
Amount limited.

Penal and forfeiture provisions
48 Stat. 8, 1281; 49 Stat. 2031.

SEC. 9. The penal and forfeiture provisions relating to pensions and compensation contained in Public Law Numbered 2, Seventy-third Congress, shall be applicable to claims for compensation under Public Law Numbered 484, Seventy-third Congress, as amended by Public Law Numbered 844, Seventy-fourth Congress, and this Act.

Approved, August 16, 1937.

[CHAPTER 660]

AN ACT

August 16, 1937
[H. R. 6446]
[Public, No. 305]

To prohibit in the District of Columbia the operation of any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle designed to receive or be operated by lawful coin of the United States of America, or a token provided by the person entitled to the coin contents of such receptacle in connection with the sale, use, or enjoyment of property or service by means of slugs, spurious coins, tricks, or devices not authorized by the person entitled to the coin contents thereof; and to prohibit in the District of Columbia the manufacture, sale, offering for sale, advertising for sale, distribution, or possession for such use of any token, slug, false or counterfeited coin, or any device or substance whatsoever except tokens authorized by the person entitled to the coin contents of such receptacle; and providing a penalty for violation thereof.

District of Columbia.
Use of fraudulent tokens, slugs, etc., in operating merchandise vending machines, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who shall operate or cause to be operated, or who shall attempt to operate or attempt to cause to be operated, in the District of Columbia any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle, designed to receive or be operated by lawful coin of the United States of America or a token provided by the person entitled to the coin contents of such receptacle, in furtherance of or in connection with the sale, use, or enjoyment of property or service, by means of a slug or any false token, counterfeited, mutilated, sweated or foreign coin, or by any means, method, trick, or device whatsoever not authorized by the person entitled to the coin contents of such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle; or any person who shall take, obtain, or receive from or in connection with any such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle described in this section any goods, wares, merchandise, gas, electric current, or other article of value, or the use or enjoyment of any transportation or any telephone or telegraph facilities or service, or of any musical instrument, phonograph, or other property, in the District of Columbia, without depositing in and surrendering to such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle described in this section lawful coin of the United States of America to the amount required therefor by the person entitled to the coin contents of any such merchandise vending machine, turnstile, coin-box telephone or other legal receptacle, or tokens provided and to the amount required by the person entitled to the coin contents of such legal receptacle, shall be guilty of a misdemeanor, and upon

Receiving merchandise, etc., a misdemeanor.

conviction thereof, shall be punished by a fine not exceeding $500 or by imprisonment not to exceed six months, or by both fine and imprisonment in the discretion of the court. Punishment for.

SEC. 2. Any person who, with intent to cheat or defraud the owner, lessee, licensee, or other person entitled to the coin contents of any automatic merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle, designed to receive or be operated by lawful coin of the United States of America or a token provided by the person entitled to the coin contents of such legal receptacle, in furtherance of or in connection with the sale, use, or enjoyment of property or service, or any person who, knowing or having cause to believe that the same is intended for fraudulent or unlawful use on the part of the purchaser, donee, or user thereof, shall manufacture, sell, offer to sell, advertise for sale, give away, or possess, in the District of Columbia, any token, slug, false or counterfeit coin, or any device or substance whatsoever intended or calculated to be placed, deposited, or used in the operation of any such merchandise vending machine, turnstile, coin-box telephone, or other legal receptacle shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $500 or by imprisonment not to exceed six months, or by both fine and imprisonment in the discretion of the court. Manufacturing, etc., fraudulent tokens, etc. Punishment for.

SEC. 3. The word "person", where used in this Act, shall be construed to include any individual, individuals, copartnerships, associations, groups, and corporations. "Person" construed.

Approved, August 16, 1937.

[CHAPTER 661]

AN ACT

To authorize the Secretary of the Navy to proceed with the construction of certain public works in or in the vicinity of the District of Columbia, and for other purposes.

August 16, 1937
[H. R. 6547]
[Public, No. 306]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved February 25, 1931 (46 Stat. 1419), be and the same is hereby, amended so as to read as follows: District of Columbia, public works. 46 Stat. 1419.

"That the Secretary of the Navy is hereby authorized to construct in the District of Columbia, or in the immediate vicinity thereof, on land already acquired or hereby authorized to be acquired therefor by purchase, gift, or otherwise, buildings to replace the present Naval Hospital and Naval Medical School at Washington, District of Columbia, with the utilities, accessories, and appurtenances pertaining thereto, including facilities for the Naval Medical Center and Naval Dental School: *Provided*, That the advice of the National Capital Park and Planning Commission be requested before the acquisition of property for this purpose and before the construction herein authorized shall begin; if located in the District of Columbia, the construction herein authorized be subject to the approval of the National Park Service under authority of section 6 of the Public Buildings Act of May 25, 1926, as amended (U. S. C., title 40, sec. 346): *Provided further*, That the total cost of the land and of the construction hereby authorized shall not exceed $4,850,000, of which not more than 15 per centum may be expended for the purchase of the site. Naval Hospital, etc., replacement. Naval Medical Center, etc., included. *Provisos.* Advice of National Capital Park and Planning Commission. Approval by National Park Service. 44 Stat. 634. 40 U. S. C. § 346. Limit of cost; amount for site.

"SEC. 2. The Secretary of the Navy is hereby authorized to accept on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to any land which may be acquired by gift." Acceptance of land.

Approved, August 16, 1937.

[CHAPTER 662]

AN ACT

August 16, 1937
[H. R. 6651]
[Public, No. 307]

To provide for a referendum in the Territory of Alaska as to the establishment of a one-house legislature, and for other purposes.

Alaska unicameral legislature
Referendum as to establishment of, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That at the general election held in the Territory of Alaska, in the year 1938, for the election of a Delegate to Congress from Alaska, members of the Alaska Territorial Legislature, and such other officials of the Territory as may be by law then elective, each of the qualified electors of the Territory shall be afforded an opportunity to vote upon the question as to whether a one-house legislature shall be provided for the Territory of Alaska, such vote to be taken by furnishing to each of such electors a ballot, separate and apart from the ballot which embraces the names of the candidates for office to be voted upon at said election, having printed thereon the following:

Form of ballot.

"SPECIAL REFERENDUM BALLOT

"(Place an (×) in square before your preference.)

"(Vote for one only)

"☐ I favor a one-house legislature for Alaska.
"☐ I do NOT favor a one-house legislature for Alaska."

Preparation, etc., of ballots.

SEC. 2. Such ballots shall be prepared, printed, numbered, and distributed, so far as may be practicable, in the same form and manner as the ballots containing the names of candidates for office to be voted upon at said election; and the special referendum ballots so cast at said election shall be counted, tallied, canvassed, and returns thereon made in substantially the same manner as in the case of ballots containing the names of candidates.

Payment of expenses.

SEC. 3. The expense of preparing, printing, distributing, counting, tallying, and canvassing such special referendum ballots, and all other additional expenses incurred in said election by reason thereof, shall be paid in the same manner as the other costs and expenses of said election.

Approved, August 16, 1937.

[CHAPTER 663]

AN ACT

August 16, 1937
[H. R. 7274]
[Public, No. 308]

To enable the Department of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices and to cooperate with the States in the promotion of such standards.

Labor standards for apprentices.
Formulation and promotion of

Encouraging inclusion of, in contracts.

Cooperation with State agencies, National Youth Administration, etc.

39 Stat. 932.
20 U. S. C. § 17.
47 Stat. 414.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Labor is hereby authorized and directed to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, to extend the application of such standards by encouraging the inclusion thereof in contracts of apprenticeship, to bring together employers and labor for the formulation of programs of apprenticeship, to cooperate with State agencies engaged in the formulation and promotion of standards of apprenticeship, and to cooperate with the National Youth Administration and with the Office of Education of the Department of the Interior in accordance with section 6 of the Act of February 23, 1917 (39 Stat. 932), as amended by Executive Order Numbered 6166, June 10, 1933, issued pursuant to an Act of June 30, 1932 (47 Stat. 414), as amended.

Publication of information.
Appointment of advisory committees.

SEC. 2. The Secretary of Labor may publish information relating to existing and proposed labor standards of apprenticeship, and may appoint national advisory committees to serve without compensation. Such committees shall include representatives of employers, representatives of labor, educators, and officers of other executive departments, with the consent of the head of any such department.

National Youth Administration relieved of responsibility for promoting standards; transfer of records.

SEC. 3. On and after the effective date of this Act the National Youth Administration shall be relieved of direct responsibility for the promotion of labor standards of apprenticeship as heretofore conducted through the division of apprentice training and shall transfer all records and papers relating to such activities to the custody of the Department of Labor. The Secretary of Labor is authorized to appoint such employees as he may from time to time find necessary for the administration of this Act, with regard to existing laws applicable to the appointment and compensation of employees of the United States: *Provided, however*, That he may appoint persons now employed in division of apprentice training of the National Youth Administration upon certification by the Civil Service Commission of their qualifications after nonassembled examinations.

Personal services.

Proviso
Employment of present personnel.

Effective date.

SEC. 4. This Act shall take effect on July 1, 1937, or as soon thereafter as it shall be approved.

Approved, August 16, 1937.

[CHAPTER 664]

AN ACT

August 16, 1937
[H. R. 7278]
[Public, No. 309]

To authorize the Secretary of Commerce to grant and convey to the State of Washington fee title to certain lands of the United States in Jefferson County, Washington, for highway purposes.

State of Washington.
Conveyance of certain lands to, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized and directed to grant and convey to the State of Washington the fee title to the following strip of land, being a small portion of the Quilcene (Washington) Fisheries Station, certain property of the United States in Jefferson County, State of Washington, same being granted and conveyed to the State of Washington for State highway purposes:

Description.

A strip of land containing thirty-six one-hundredths acre, more or less, in the southwest quarter southwest quarter southeast quarter section 22, township 27 north, range 2 west, Washington meridian, having widths as hereinafter set forth on each side of the following-described center line of a "road connection", to wit:

Commence at the south one-quarter corner of said section 22 and run easterly along the south line of said section 22 a distance of exactly seven hundred and two feet to an intersection with the center line of State Road Numbered 9 (Olympic Highway) as now located and of record in the office of the Director of Highways, Olympia, Washington; thence along said center line, north thirty-six degrees forty-three minutes east, seven hundred and forty-five and nine-tenths feet to the point of beginning of said "road connection"; thence south seventy-six degrees thirteen minutes west, along the center line of said "road connection", three hundred and forty-eight and one-tenth feet; thence on the arc of a curve to the left whose radius is exactly nine hundred and fifty-five feet, a distance of one hundred and fifty-eight feet, more or less, to an intersection with the easterly line of the southwest quarter southwest quarter south-

east quarter, said section 22, and the true point of beginning of strip of land being herein described:

Thence continuing on the arc of said curve to the left a distance of eighty-eight and four-tenths feet, more or less, having a width of fifty feet on each side of said center line; thence south sixty-one degrees twenty-six minutes west, twenty-three and four-tenths feet, having a width of fifty feet on each side of said center line; thence on the arc of a curve to the right whose radius is exactly one thousand one hundred and forty-six feet a distance of thirty-two and one-tenth feet, having a width of fifty feet on each side of said center line; thence continuing on the arc of said curve to the right a distance of one hundred and seventy-six and six-tenths feet, having a width of fifty feet on the northwesterly side and thirty feet on the southeasterly side of said center line; thence south seventy-one degrees fifty-two minutes west, sixty-one and eight-tenths feet, to an intersection with the existing road, having a width of fifty feet on the northwesterly side and thirty feet on the southeasterly side of said center line, excepting therefrom the right-of-way of existing road contained therein.

Also all that portion of the southwest quarter southwest quarter southeast quarter, said section 22, lying southeasterly of a line drawn parallel to and distant fifty feet northwesterly from the center line of said State Road Numbered 9, said tract of land being of triangular shape and existing in the extreme southeast corner of the above-described legal subdivision.

Approved, August 16, 1937.

[CHAPTER 665]

AN ACT

August 16, 1937
[H. R. 7402]
[Public, No. 310]

To provide more effectively for the marking of wrecked and sunken craft for the protection of navigation, to improve the efficiency of the Lighthouse Service, and for other purposes.

Lighthouse Service
R. S. § 4676.
33 U. S. C. § 736.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4676 of the Revised Statutes, as amended, is hereby amended to read as follows:

Marking wrecked and sunken craft for protection of navigation.

"SEC. 4676. Whenever the owner of any sunken vessel, boat, watercraft, raft, or other similar obstruction existing on any river, lake, harbor, sound, bay, or canal or other navigable waters of the United States has failed to mark, or in the judgment of the Commissioner of Lighthouses has failed suitably to mark, the same in accordance with the provisions of section 15 of the Act of March 3, 1899 (ch. 425, 30 Stat. 1152), the Commissioner of Lighthouses is authorized to suitably mark the same for the protection of navigation. Until such time as abandonment of any such obstruction has been established in accordance with the provisions of section 19 of the Act of March 3, 1899 (ch. 425, 30 Stat. 1154), the owner thereof shall pay to the Commissioner of Lighthouses the cost of such marking. As soon as abandonment of any such obstruction has been so established, it shall be the duty of the Secretary of War to keep the same so marked pending removal thereof in accordance with the provisions of section 19 of the Act of March 3, 1899 (ch. 425, 30 Stat. 1154), but the Commissioner of Lighthouses may at the request of the Department of War continue the suitable marking of any such obstruction for and on behalf of that Department. The cost of continuing any such marking shall be borne by the Department of War. All moneys received by the Commissioner of Lighthouses from the owners of obstructions, in accordance with the provisions of this section, shall

30 Stat. 1152.
33 U. S. C. § 409

Payment of cost by owner until abandonment.
30 Stat. 1154.
33 U. S. C. § 414

Maintenance of warning after abandonment by War Department.

Continuance by Lighthouse Service if requested by War Department; cost.

Receipts covered in.

be covered into the Treasury of the United States as miscellaneous receipts. No provision of this section shall be construed so as to relieve the owner of any such obstruction from the duty and responsibility suitably to mark the same in accordance with the provisions of section 15 of the Act of March 3, 1899 (ch. 425, 30 Stat. 1152)."

Obligation of owner not waived.

30 Stat. 1152.
33 U. S. C. § 409.

SEC. 2. The Lighthouse Service is authorized, whenever an aid to navigation or other property belonging to that Service is damaged or destroyed by a private person, and such private person or his agent shall pay to the satisfaction of the proper official of the Lighthouse Service for the cost of repair or replacement of such property, to accept and deposit such payments, through proper officers of the Division of Disbursement, Treasury Department, in special deposit accounts in the Treasury, for payment therefrom to the person or persons repairing or replacing the damaged property and refundment of amounts collected in excess of the cost of the repairs or replacements concerned.

Damage to aids to navigation; payment of repair cost, etc.

SEC. 3. The Commissioner of Lighthouses, subject to the approval of the Secretary of Commerce, is authorized in his discretion hereafter to establish and maintain aids to navigation to mark rivers, waterways, or channels, connected by navigable waters with the sea or the Great Lakes, which have been improved for navigation by the United States under proper authority, and appropriations made for the support of the Lighthouse Service are made available for the expenses of establishing and maintaining such aids to navigation.

Establishment, etc., of aids to mark rivers, waterways, or channels.

SEC. 4. Section 4 of the Act of Congress approved June 17, 1910 (ch. 301, 36 Stat. 537; U. S. C., title 33, secs. 711, 721), is hereby amended to read as follows:

36 Stat. 537.
33 U. S. C. §§ 711, 721

"SEC. 4. There shall be in the Department of Commerce a Bureau of Lighthouses and a Commissioner of Lighthouses, who shall be the head of said Bureau, to be appointed by the President. There shall also be in the Bureau a Deputy Commissioner, to be appointed by the President, and a Chief Clerk, who shall perform the duties of Chief Clerk and such other duties as may be assigned to him by the Secretary of Commerce or by the Commissioner. There shall also be in the Bureau such inspectors, clerical assistants, and other employees as may from time to time be authorized by Congress. The Commissioner of Lighthouses shall make an annual report to the Secretary of Commerce, who shall transmit the same to Congress at the beginning of each regular session thereof. The Commissioner of Lighthouses, subject to the approval of the Secretary of Commerce, is authorized to consider, ascertain, adjust, and determine all claims for damages, where the amount of the claim does not exceed the sum of $500, occasioned by collisions, for which collisions vessels of the Lighthouse Service shall be found to be responsible, and report the amounts so ascertained and determined to be due to the claimants to Congress at each session thereof through the Treasury Department for payment as legal claims out of appropriations that may be made by Congress therefor."

Bureau of Lighthouses, etc
Establishment, organization, etc.

Annual report.

Damage claims, adjustment, etc.

SEC. 5. That so much of section 20 of the Act approved May 28, 1935 (Public, Numbered 81, Seventy-fourth Congress), entitled "An Act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes", as reads "to convey to the town of Southold, State of New York" is hereby amended to read "to convey to the Southold Park District in the town of Southold, State of New York".

Horton Point, N. Y., lighthouse reservation.
Portion of, conveyed to Southold Park District, Southold, N. Y.
49 Stat. 308.

SEC. 6. The Secretary of Commerce is authorized to convey to the State of Florida for public-roadway purposes an additional portion of the Crooked River Range Lighthouse Reservation, Florida, thirty-

Crooked River Range, Fla.
Additional strip for roadway conveyed to State.

four feet in width and approximately five hundred feet in length adjoining the strip of land conveyed pursuant to section 4 of the Act approved May 28, 1935 (Public, Numbered 81, Seventy-fourth Congress), to provide for a roadway one hundred feet in width across the reservation. The deed of conveyance shall describe by metes and bounds the portion of the reservation transferred and the conditions imposed by section 36 of the Act of May 28, 1935 (Public, Numbered 81, Seventy-fourth Congress).

49 Stat. 305.

Approved, August 16, 1937.

[CHAPTER 666]

JOINT RESOLUTION

August 16, 1937
[H. J. Res. 284]
[Pub. Res., No. 60]

Authorizing the President of the United States of America to proclaim the 13th day of April of each year Thomas Jefferson's Birthday.

Thomas Jefferson's Birthday.
President authorized to proclaim April 13 of each year as.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States of America is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on April 13 of each year, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the birth of Thomas Jefferson.

Approved, August 16, 1937.

[CHAPTER 667]

JOINT RESOLUTION

August 16, 1937
[H. J. Res. 288]
[Pub. Res., No. 61]

To permit articles imported from foreign countries for the purpose of exhibition at the New York World's Fair 1939, New York City, New York, to be admitted without payment of tariff, and for other purposes.

New York World's Fair 1939.
Dutiable articles imported for exhibition, etc., admitted free, under regulations.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles which shall be imported from foreign countries for the purpose of exhibition at the international exposition to be held at New York City, New York, beginning in April 1939 by the New York World's Fair 1939, Incorporated, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during and/or within three months after the close of the said exposition, to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not

Sales permitted.

Provisos.
Duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles, which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the New York World's Fair 1939, Incorporated, shall be deemed, for customs purposes only to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for articles imported under the provisions of this Act, shall be reimbursed by the New York World's Fair 1939, Incorporated, to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Abandoned articles.

Transfer privilege.

Exposition deemed sole consignee of merchandise.

Reimbursement of incurred Federal expenses.

Deposit of receipts as refunds.
46 Stat. 741.
19 U. S. C. § 1524.

Approved, August 16, 1937.

[CHAPTER 687]

AN ACT

To provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes.

August 17, 1937
[H. R. 7022]
[Public, No. 311]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when title to all the lands, except those within the limits of established villages, within boundaries to be designated by the Secretary of the Interior within the area of approximately one hundred square miles on the islands of Chicamacomico, Ocracoke, Bodie, Roanoke, and Collington, and the waters and the lands beneath the waters adjacent thereto shall have been vested in the United States, said area shall be, and is hereby, established, dedicated, and set apart as a national seashore for the benefit and enjoyment of the people and shall be known as the Cape Hatteras National Seashore: *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

Cape Hatteras National Seashore, N. C. Establishment; area, location, etc.

Proviso.
Donation of lands.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property, within the boundaries of said national seashore as determined and fixed hereunder and donations of funds for the purchase and maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States under any donated funds by purchase, when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the Act of August 1, 1888, such tracts of land within the said national seashore as may be necessary for the completion thereof.

Acceptance of donations, etc.

Proviso.
Acquisition of land.
25 Stat. 357.
40 U. S. C. § 257.

Administration, etc., by National Park Service.
39 Stat. 535.
16 U. S. C. § 1.

SEC. 3. The administration, protection, and development of the aforesaid national seashore shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended: *Provided*, That except as hereinafter provided nothing herein shall be construed to divest the jurisdiction of other agencies of the Government now exercised over Federal-owned lands within the area of the said Cape Hatteras National Seashore: *Provided further*, That the provisions of the Act of June 10, 1920, known as the "Federal Water Power Act", shall not apply to this national seashore: *And provided further*, That the legal residents of villages referred to in section 1 of this Act shall have the right to earn a livelihood by fishing within the boundaries to be designated by the Secretary of the Interior, subject to such rules and regulations as the said Secretary may deem necessary in order to protect the area for recreational use as provided for in this Act.

Provisos
Jurisdiction of other agencies not divested.

Federal Water Power Act not applicable
41 Stat. 1063.
16 U. S. C. § 791.

Rights of village residents.

Permanent reservation as a wilderness.

SEC. 4. Except for certain portions of the area, deemed to be especially adaptable for recreational uses, particularly swimming, boating, sailing, fishing, and other recreational activities of similar nature, which shall be developed for such uses as needed, the said area shall be permanently reserved as a primitive wilderness and no development of the project or plan for the convenience of visitors shall be undertaken which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing in this area: *Provided*, That the Secretary of the Interior may, in his discretion, accept for administration, protection, and development by the National Park Service a minimum of ten thousand acres within the area described in section 1 of this Act, including the existing Cape Hatteras State Park, and, in addition, any other portions of the area described in section 1 hereof if the State of North Carolina shall agree that if all the lands described in section 1 of this Act shall not have been conveyed to the United States within ten years from the passage of this Act, the establishment of the aforesaid national seashore may, in the discretion of the said Secretary, be abandoned, and that, in the event of such abandonment, the said State will accept a reconveyance of title to all lands conveyed by it to the United States for said national seashore. The lands donated to the United States for the purposes of this Act by parties other than said State shall revert in the event of the aforesaid abandonment to the donors, or their heirs, or other persons entitled thereto by law.

Proviso.
Minimum area.

Reversionary provision.

In the event of said abandonment, the Secretary of the Interior shall execute any suitable quitclaim deeds, or other writings entitled to record in the proper counties of North Carolina stating the fact of abandonment, whereupon title shall revert to those entitled thereto by law and no further conveyance or proof of reversion of title shall be required.

Migatory bird refuge continued.

SEC. 5. Notwithstanding any other provisions of this Act, lands and waters now or hereafter included in any migratory bird refuge under the jurisdiction of the Secretary of Agriculture, within the boundaries of the national seashore as designated by the Secretary of the Interior under section 1 hereof, shall continue as such refuge under the jurisdiction of the Secretary of Agriculture for the protection of migratory birds, but such lands and waters shall be a part of the aforesaid national seashore and shall be administered by the National Park Service for recreational uses not inconsistent with the purposes of such refuge under such rules and regulations as the Secretaries of

the Interior and Agriculture may jointly approve. The proviso to section 1 of this Act shall not limit the power of the Secretary of Agriculture to acquire lands for any migratory bird refuge by purchase with any funds made available therefor by applicable law.

Additions to refuges.

Approved, August 17, 1937.

[CHAPTER 688]

AN ACT

To provide for the transfer of Scotland County to the middle judicial district of North Carolina.

August 17, 1937
[H. R. 7092]
[Public, No. 312]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 98 of the Judicial Code, as amended (U. S. C., 1934 edition, Supp. II, title 28, sec. 179), is amended to read as follows:

Judicial Code, amendment
28 U S C, Supp. II, § 179

"The State of North Carolina is divided into three districts to be known as the eastern, the middle, and the western districts of North Carolina.

North Carolina judicial districts.

"The eastern district shall include the territory embraced on the 1st day of January 1926 in the counties of Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Harnett, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Robeson, Sampson, Tyrrell, Vance, Wake, Washington, Warren, Wayne, and Wilson.

Eastern district

"The terms of the District Court for the eastern District of North Carolina shall be held at Raleigh, a one-week civil term, on the second Mondays in September and March, and at the following places on each succeeding Monday thereafter: Fayetteville, Elizabeth City, Washington, New Bern, Wilson, Wilmington, and Raleigh, the term at Raleigh being a criminal term only. The clerk of the court for the eastern district shall maintain an office in charge of himself or deputy at Raleigh, at Wilmington, at New Bern, at Elizabeth City, at Washington, at Fayetteville, and at Wilson which shall be kept open at all times for the transaction of the business of the court.

Terms of court.

"The middle district shall include the territory embraced on the 1st day of January 1926 in the counties of Alamance, Alleghany, Ashe, Cabarrus, Caswell, Chatham, Davidson, Davie, Durham, Forsyth, Guilford, Lee, Hoke, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Surry, Watauga, Wilkes, and Yadkin.

Middle district.

"The terms of the district court for the middle district shall be held at Rockingham on the first Mondays in March and September, at Salisbury on the third Mondays in April and October, at Winston-Salem on the first Mondays in May and November, at Greensboro on the first Mondays in June and December, at Wilkesboro on the third Mondays in May and November; and at Durham on the first Monday in February and the fourth Monday in September: *Provided*, That the cities of Winston-Salem, Rockingham, and Durham shall each provide and furnish at its own expense a suitable and convenient place for holding the district court until Federal buildings containing quarters for the court are erected at such places.

Terms of court.

Proviso.
Court accommodations.

"The western district shall include the territory embraced on the 1st day of January 1926 in the counties of Alexander, Anson, Avery, Buncombe, Burke, Caldwell, Catawba, Cherokee, Clay, Cleveland,

Western district.

Gaston, Graham, Haywood, Henderson, Iredell, Jackson, Lincoln, Madison, Macon, McDowell, Mecklenburg, Mitchell, Polk, Rutherford, Swain, Transylvania, Union, and Yancey.

Terms of court.

"Terms of the district court for the western district shall be held in Charlotte on the first Mondays in April and October, at Shelby on the fourth Monday in September and the third Monday in March, at Statesville on the fourth Mondays in April and October, at Asheville on the second Mondays in May and November, and at Bryson City on the fourth Mondays in May and November: *Provided*, That the cities of Shelby and Bryson City shall each provide and furnish at their own expense suitable and convenient places for holding the court at Shelby and Bryson City. The clerk of the court for the western district shall maintain an office, in charge of himself or a deputy, at Charlotte, at Asheville, at Statesville, at Shelby, and at Bryson City, which shall be kept open at all times for the transaction of the business of the court.

Proviso Court accommodations

Clerk's offices.

Judge, etc., for middle district, appointment

"There shall be a judge appointed for the said middle district in the manner now provided by law who shall receive the salary provided by law for the judges of the eastern and western districts, and a district attorney, marshal, clerk, and other officers in the manner and at the salary now provided by law.

Pending causes, etc.

"All causes in the said middle district in equity, bankruptcy, or admiralty, in which orders and decrees have already been made and which are now in process of trial, shall continue and remain subject to the jurisdiction of the judge of that district by whom the same shall have been made and before whom the same shall have been partially tried and determined."

Approved, August 17, 1937.

[CHAPTER 689]

August 17, 1937
[H. R. 6045]
[Public, No 313]

AN ACT

Authorizing and directing the Secretary of Commerce to transfer to the Government of Puerto Rico a portion of land within the Catano Range Rear Lighthouse Reservation, Puerto Rico, and for other purposes.

Puerto Rico. Land within Catano Range Rear Lighthouse Reservation transferred to, for roadway.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce be, and he is hereby, authorized and directed to transfer to the Government of Puerto Rico for roadway purposes a portion of land within the Catano Range Rear Lighthouse Reservation, Puerto Rico, as shown on the drawing numbered 2309 filed in the Department of Commerce, Washington, District of Columbia, described more particularly as follows:

Description.

From a point lettered A, Ninth Lighthouse District Drawing numbered 2309, which is the initial point of the metes and bounds of Lighthouse Reservation at Catano Range Rear Light as per survey dated October 27, 1904, this point being located north eighty-nine degrees sixteen minutes west fifty-six and thirty one-hundredths feet from center of original wooden tower now removed and south eighty-five degrees fifty-two minutes west and fifty-seven and ninety one-hundredths feet from center of present steel rear range tower, thence by metes and bounds as follows: south sixty-two degrees five minutes east one hundred feet along south boundary of Lighthouse Reservation to a point lettered B; thence north twenty-seven degrees fifty-five minutes east eighteen feet along east boundary of said reservation to a point lettered C; thence north sixty-two degrees five minutes west fifty-nine and ninety-three one-hundredths feet to a point lettered D; thence north thirty-one degrees fifteen minutes west seventeen and sixty-eight one-hundredths feet to a point lettered E;

thence north twenty-six degrees nine minutes west thirty and thirty-one one-hundredths feet to a point lettered F on west boundary of said reservation; thence along this boundary south twenty-seven degrees fifty-five minutes west forty-five feet to point of beginning; enclosing an area of two hundred and forty-nine and fifty one-hundredths square yards.

All bearings given are true, calculated from magnetic bearings from survey of October 27, 1904, corrected by one degree forty-six minutes west variation.

Reversionary provision.

SEC. 2. The deed of conveyance shall contain a provision that should the Government of Puerto Rico cease to use the property for the purpose for which it is conveyed, title thereto shall revert to the United States.

Approved, August 17, 1937.

[CHAPTER 690]

AN ACT

August 17, 1937
[H. R. 7472]
[Public, No. 314]

To provide additional revenue for the District of Columbia, and for other purposes.

District of Columbia Revenue Act of 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act divided into titles and sections may be cited as the District of Columbia Revenue Act of 1937.

TITLE I—COLLECTION OF PERSONAL PROPERTY TAXES

Title I—Collection of personal property taxes.

Returns.

SEC. 1. The assessor of the District of Columbia, or any person designated by him, for the purpose of ascertaining the correctness of any return of personal property, tangible or intangible, for taxation or for the purpose of making a return where none has been made, is authorized to examine any books, papers, records, or memoranda bearing upon the matters required to be included in the return and may summon any person to appear before him and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return and to give testimony or answer interrogatories under oath respecting the same, and the assessor, or assistant assessor, shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person, having been personally summoned, shall neglect or refuse to obey the summons issued as herein provided, then in that event the assessor, or any assistant assessor, may report that fact to the District Court of the United States for the District of Columbia, or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to said summons to the same extent as witnesses may be compelled to obey the subpenas of that court.

Matters to be included; examinations, testimony, etc.

Neglect or refusal to pay, collection by distraint, etc.

SEC. 2. If any person liable to pay any personal property tax to the District of Columbia neglects or refuses to pay the same within ten days after notice and demand, it shall be lawful for the collector of taxes for the District of Columbia, or any person designated by him, to collect the said taxes, with interest and penalties thereon, by distraint and sale in the manner hereinafter provided, of the goods, chattels, or effects, including stocks, securities, bank accounts, evidences of debt, and credits of the person delinquent as aforesaid. In case of such neglect or refusal of the person delinquent as aforesaid the collector, or the person designated by him, may levy upon all such property and rights to such property belonging to such person

Levy; public notice of intended sale.

for the payment of the sum due with interest and penalties thereon and the costs that may accrue and the collector of taxes shall immediately proceed to advertise the same by public notice to be posted in the office of said collector and by advertisement three times in one week in one or more daily newspapers in said District, stating the time when and the place where such property shall be sold, the last publication to be at least six days before the date of sale and if the said taxes, with interest and penalties thereon, and the costs and expenses which shall have accrued thereon, shall not be paid before the date fixed for such sale, which shall not be less than ten days after said levy or taking of said property, the collector shall proceed to sell at public auction such property or interest therein or so much thereof as may be needed to pay such taxes, interest, penalties, and accrued costs and expenses of such distraint and sale. Said collector shall report in detail in writing every distraint and sale of personal property to the Commissioners of the District of Columbia, and his accounts in respect of every such distraint or sale shall forthwith be submitted to the auditor of the District of Columbia and shall be audited by him. Any surplus resulting from such sale over and above such taxes, interest, penalties, costs, and expenses shall be paid into the Treasury of the United States to the credit of the District of Columbia, and upon being claimed by the owner or owners of the property aforesaid shall be paid to him or them by the acccounting officers of said District upon the certificate of the collector of taxes stating in full the amount of such excess.

Public sale of property.

Report of, to be made.

Disposition of surplus above taxes, etc.

Surrender of distrained property to collector unless subject to an attachment, etc.

SEC. 3. Any person in possession of property or rights to property subject to distraint upon which a levy has been made shall, upon demand by the collector, or the person designated by him, surrender such property or rights to such collector or the person designated by him, unless such property or right is at the time of such demand subject to an attachment or execution under any judicial process.

Liability for failure.

SEC. 4. Any person who fails or refuses so to surrender any of such property or rights shall be liable in his own person and estate to the District of Columbia in a sum equal to the value of the property or rights not so surrendered, but not exceeding the amount of the taxes including interest and penalties for the collection of which such levy has been made, together with costs and interest thereon, from the date of such levy.

Exhibition of evidence or statements.

SEC. 5. All persons and officers of companies and corporations, are required, on demand of the collector, or the person designated by him, about to distrain or having distrained on any property or rights of property, to exhibit all books containing evidence or statements relating to the subject of distraint or the property or rights of property liable to distraint for the tax due. A violation of this section shall be punished by a fine of not exceeding $500 or by imprisonment not exceeding thirty days, or both, in a prosecution filed in the police court of the District of Columbia by the corporation counsel of the District in the name of the District of Columbia.

Penalty for violation.

Certificates of delinquent personal tax; filing; force of.

SEC. 6. In case of the neglect or refusal of any person to pay a personal-property tax within ten days after notice and demand, the collector of taxes, or the person designated by him, may file a certificate of such delinquent personal tax with the clerk of the District Court of the United States for the District of Columbia, which certificate from the date of its filing shall have the force and effect, as against the delinquent person named in such certificate, of the lien created by a judgment granted by said court, which lien shall remain in force and effect until the taxes set forth in said certificate, with interest and penalties thereon, shall be paid and said lien may be enforced by a bill in equity filed in said court.

Enforcement.

Wrongful distraints, recoveries.

SEC. 7. When a recovery is had in any suit or proceeding against the collector of taxes, or any person designated by him, under this Act for a wrongful distraint or any other act done by him or for the recovery of any money exacted by or paid to him and by him paid into the Treasury of the United States in the performance of his official duty and the court certifies that there was probable cause for the act done by the collector or the person designated by him or that he acted under the directions of the Commissioners of the District of Columbia, no execution shall issue thereon, but the amount so recovered shall, upon final judgment, be paid by the District of Columbia in the same manner as judgments against the said District are paid.

Time provisions

SEC. 8. The taxes to which this title relates shall be assessed within four years after such taxes became due and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of five years after such taxes became due. In the case of a false or fraudulent return with intent to evade tax, or of a failure to file a return within the time required by law, the tax may be assessed or a proceeding in court for the collection of such tax may be begun without assessment, at any time. Where the assessment of any tax to which this title relates has been made within such statutory period of limitation, such tax may be collected by distraint or by a proceeding in court only if begun within six years after the assessment of the tax.

False, etc., return to evade, delinquency, etc

Remedies herein provided deemed additional.

SEC. 9. The remedies provided by this title for the collection of personal-property taxes are in addition to any other remedies available for the collection of said taxes.

TITLE II—TAXES ON INSURANCE COMPANIES

Title II—Taxes on insurance companies.

Licenses.

SEC. 1. On and after the 1st day of September 1937, every domestic, foreign, or alien company organized as a stock, mutual, reciprocal, Lloyd's, fraternal, or any other type of insurance company or association, before issuing contracts of insurance against loss of life or health, or by fire, marine, accident, casualty, fidelity and surety, title guaranty, or other hazard not contrary to public policy, shall obtain from the superintendent of insurance of the District of Columbia an annual license or certificate of authority, upon payment of a fee of $25 to the collector of taxes of the District of Columbia. All licenses for insurance companies who may apply for permission to do business in the District of Columbia shall date from the first of the month in which application is made, and expire on the 30th day of April following, and payment shall be made in proportion.

Fee.

Beginning and expiration.

Penalty clause.

SEC. 2. Any such company issuing contracts of insurance in the District of Columbia, without first having obtained license or certificate of authority from the superintendent of insurance so to do, shall upon conviction be subject to a fine of $100 per day for each day it shall engage in business without such license or certificate of authority.

Prosecutions in police court.

SEC. 3. All prosecutions for violations of this title shall be in the police court of the District of Columbia by the corporation counsel of the District of Columbia or any of his assistants.

Annual statements required.

SEC. 4. Each of such companies shall file an annual statement, in the form prescribed by the superintendent of insurance, before March 1 of each year, of its operations for the year ending December 31 immediately preceding. Such statement shall be verified by the oath of the president and secretary or in their absence by two other principal officers. The fee for filing said statement shall be $20 and payment therefor shall be made to the collector of taxes of the District of Columbia.

Filing fee.

Revocation of license if statement not filed

SEC. 5. If any such company shall fail to file the annual statement herein required, the superintendent of insurance may thereupon revoke its license or certificate of authority to transact business in the District of Columbia.

Tax rate on insurance companies

SEC. 6. All such companies shall also pay to the collector of taxes of the District of Columbia a sum of money as taxes equal to 2 per centum of its policy and membership fees and net premium receipts on all insurance contracts on risks in the District of Columbia, said taxes to be paid before the 1st day of March of each year on the amount of income for the year ending December 31 next preceding. Such tax shall be in lieu of all other taxes except (1) taxes upon real estate, and (2) fees and charges provided for by the insurance laws of the District including amendments made to such laws by this title.

In lieu of other taxes, exceptions.

"Net premium receipts" defined.

"Net premium receipts" means gross premiums received less the sum of the following:

1. Premiums returned on policies canceled or not taken;

2. Premiums paid for reinsurance where the same are paid to companies duly licensed to do business in the District; and

3. Dividends paid in cash or used by policyholders in payment of renewal premiums.

Marine insurance excluded.

Nothing contained in this section or in sections 1 or 7 of this title shall apply with respect to marine insurance written within the said District and reported, taxed, and licensed under the provisions of the Act entitled "An Act to regulate marine insurance in the District of Columbia, and for other purposes", approved March 4, 1922, as amended.

42 Stat. 401.

Penalty for failure to pay.

SEC. 7. If any such company shall fail to pay the tax herein required, it shall be liable to the District of Columbia for the amount thereof, and in addition thereof a penalty of 8 per centum per month thereafter until paid.

Nonprofit relief associations, exemption.

SEC. 8. Nothing contained in this title shall apply to any relief association, not conducted for profit, composed solely of officers and enlisted men of the United States Army or Navy, or solely of employees of any other branch of the United States Government service or solely of employees of the District of Columbia government, or solely of employees of any individual, company, firm, or corporation or to any fraternal organization which issues contracts of insurance exclusively to its own members.

Conflicting laws repealed.

SEC. 9. Any Act or part of any Act insofar as it is inconsistent with the provisions of this title is hereby repealed.

Title III—Motor vehicle fuel tax Act, amendment.

TITLE III—AMENDMENT TO MOTOR VEHICLE FUEL TAX ACT

43 Stat. 106

SEC. 1. Section 1 of the Act of Congress entitled "An Act to provide for a tax on motor vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, be, and the same hereby is, amended to read as follows:

Tax on sales, etc., by importers.

"That a tax of 2 cents per gallon on all motor-vehicle fuels within the District of Columbia, sold or otherwise disposed of by an importer, or used by him in a motor vehicle operated for hire or for commercial purposes, shall be levied, collected, and paid in the manner hereinafter provided.

Use of proceeds.

"All proceeds of the taxes imposed under this Act, except as otherwise provided in section 10 hereof, and all moneys collected from fees charged for the registration and titling of motor vehicles including fees charged for the issuance of permits to operate motor vehicles, shall be deposited in a special account in the Treasury of the United

States entirely to the credit of the District of Columbia, and shall be appropriated and used solely and exclusively for the following purposes:

"(1) For the construction, reconstruction, improvement, and maintenance of public highways, including the necessary administrative expenses in connection therewith; Highway, etc., construction

"(2) For the expenses of the office of the director of vehicles and traffic incident to the regulation and control of traffic and the administration of the same; and Traffic bureau, expenses

"(3) For the expenses necessarily involved in the police control, regulation, and administration of traffic upon the highways: *Provided, however*, That the total amount to be expended under this item shall not exceed 15 per centum of the total amount appropriated for pay and allowances of officers and members of the Metropolitan Police force. For the fiscal year 1938 all moneys appropriated for the construction, reconstruction, improvement, and maintenance of highways and administrative expenses in connection therewith, all moneys appropriated for the department of vehicles and traffic, and 15 per centum of all moneys appropriated for pay and allowances of officers and members of the Metropolitan Police force shall be paid from and chargeable against the fund hereby created." Expenses of police control, etc. *Proviso* Expenditure limited. Amount for fiscal year 1938

SEC. 2. (A) Subsection (c) of section 2 of said Act is hereby amended to read as follows: 43 Stat. 107.

"(c) The term 'importer' means any person who brings into, or who produces, refines, manufactures, or compounds, in the District of Columbia motor-vehicle fuel to be used by him or to be sold, kept for sale, bartered, delivered for value, or exchanged for goods. The term 'distributor' means any person other than an importer, who purchases motor-vehicle fuel for sale to another person for resale." Terms defined. "Importer." "Distributor."

(B) Section 2 of said Act is further amended by adding the following subsections:

"(f) The term 'highways' includes the right-of-way of streets, avenues, and roads, bridges, viaducts, underpasses, drainage structures, guard rails, signs, signals, and protective structures in connection with highways. "Highways."

"(g) The term 'construction' means the supervising, inspecting, actual building, and all expenses incidental to the construction of a highway, including the acquisition of the necessary rights-of-way. "Construction."

"(h) The term 'reconstruction' means a widening or a rebuilding of the highway or any portion thereof and of sufficient width and strength to care adequately for traffic needs, including all expenses incidental to the reconstruction of a highway and the acquisition of the necessary rights-of-way. "Reconstruction."

"(i) The term 'maintenance' means the constant making of needed repairs to preserve the highway." "Maintenance."

SEC. 3. Section 3 of said Act is hereby amended to read as follows:

"SEC. 3 (a) No person shall bring into, or produce, refine, manufacture, or compound in the District of Columbia motor-vehicle fuel to be used by him or to be sold, bartered, delivered for value, or exchanged for goods, and no person shall engage in the business of importer of motor-vehicle fuels in the District of Columbia unless such person is the holder of an unrevoked license authorizing him so to do issued by the Commissioners. The application for such license shall contain (1) the name of the applicant; (2) the name under which the applicant intends to transact business and the name and place of business of the local representative; (3) the location of the applicant's place of business; (4) the date such business was established; and (5) any other information required under regulations promulgated by the Commissioners of the District of Columbia. License. Application for; contents.

Where applicant is a corporation.

In case the applicant is a corporation, the application shall also contain the corporate name, place, and time of incorporation, and the names of the officers and directors, and, if a foreign corporation, the name of its resident general agent, and in case the applicant is a partnership the names and addresses of the several persons constituting the partnership. Such application shall be signed and sworn to by the owner of such business, if owned by an individual; by the partners, if owned by a partnership; or by the president and secretary of the corporation, or by its manager or resident general agent, if owned by a corporation. At the time of applying for such license the applicant shall pay to the collector of taxes as an annual license fee the sum of $5 and shall file with the Commissioners of the District of Columbia a bond in the form to be prescribed by said Commissioners, in the approximate sum of three times the average monthly motor-fuel tax due from said such importer during the next preceding twelve months, or estimated to be so due in the next succeeding twelve months, to be executed by a surety company duly licensed to do business under the laws of the District of Columbia, payable to the District of Columbia and conditioned upon the prompt payment of any and all taxes and penalties, levied and imposed in sections 1 and 3 of this Act, to the collector of taxes of the District of Columbia, and generally upon faithful compliance with the terms of this Act by such importer: *Provided*, That in no case shall such bond be less than $5,000 nor more than $20,000.

Requirements.

Annual fee; bond, etc.

Proviso. Amount.

Issuance of license on compliance.

"(b) Upon filing such application and bond and the payment of the fee, the assessor shall issue to such applicant a license which shall authorize the applicant to engage in the business of importer of motor-vehicle fuels for one year unless such license is sooner revoked.

Revocation on failure, etc.

"(c) If any importer fails, refuses, or neglects to file the monthly report within the time required by section 4, or to pay the tax within the time required by section 6, there shall be added to such tax an amount equal to the sum of 20 per centum of the amount of such tax, and the assessor shall promptly notify the importer and the bonding company by notice sent by registered mail to such importer requiring him to show cause why the license should not be revoked. If in the opinion of the assessor the importer fails within ten days after the mailing of such notice to show that failure to file the monthly report or to pay the tax as the case may be within the time required was due to accident or justifiable oversight, the assessor shall forthwith revoke such license. Any importer whose license has been revoked shall not be issued another license for twelve months following the date of said revocation.

Payment of delinquent taxes, etc., before obtaining new license.

"(d) Before any person whose license has been revoked may obtain another license to engage in the business of importer of motor-vehicle fuels, such person shall pay all delinquent taxes and penalties due hereunder remaining unpaid by him."

Invoices to purchasers, except of retail sales.

SEC. 4. Section 5 of said Act is hereby amended to read as follows:

"SEC. 5. That invoices shall be rendered by importers and distributors to all purchasers from them of motor-vehicle fuel within the District of Columbia except in case of retail sales. Said invoices shall contain a statement, printed thereon in a conspicuous place, that the liability to the District of Columbia for the tax herein imposed has been assumed by a licensed importer named in said statement and that the importer has paid the tax or will pay it on or before the last day of the calendar month next succeeding the purchase."

Contents.

SEC. 5. Section 7 of said Act is hereby amended to read as follows:

Records of purchases, etc., subject to official inspection.

"SEC. 7. That the records of all purchases, receipts, sales, other dispositions, and uses of motor-vehicle fuel of every importer, distributor,

or dealer shall, at all times during the business hours of the day, be subject to inspection by the assessor and the collector of taxes of the District of Columbia, or by their duly authorized agents, or by any other agent duly authorized by the Commissioners to make such inspection."

SEC. 6. Section 8 of said Act is hereby amended to read as follows:

"SEC. 8. That it shall be unlawful for any person to accept or receive from any importer or distributor, except in cases of retail sales, any motor-vehicle fuel unless the statement provided for in section 5 of this Act appears upon the invoice for the fuel. If any such motor-vehicle fuel is received and accepted by any person upon the invoice of which said statement does not appear, such person shall pay to the collector of taxes the tax herein imposed."

Acceptance of fuel without required statement on invoice unlawful; exception.

SEC. 7. Section 11 of said Act is hereby amended by striking out subsection (b) thereof and amending subsection (a) to read as follows:

"SEC. 11. That any person violating any provision of sections 3 to 6, inclusive, or section 8, or refusing or obstructing inspection under section 7, or falsely making any statement or report required by this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than $50 nor more than $500 or by imprisonment for not more than one year, or by both such fine and imprisonment."

Violations, obstructions; penalty provisions.

SEC. 8. This title shall take effect thirty days after the passage and approval of this Act.

Effective date of title.

TITLE IV—REGISTRATION FEES FOR MOTOR VEHICLES

Title IV—Registration fees for motor vehicles.

SEC. 1. As used in this title—

Terms defined.

(a) The term "motor vehicle" means any vehicle propelled by an internal-combustion engine or by electricity or steam, except road rollers, farm tractors, and vehicles propelled only upon stationary rails or tracks.

"Motor vehicle."

(b) The term "person" means an individual, partnership, corporation, or association.

"Person."

(c) The term "owner" means a person who holds the legal title to a motor vehicle or trailer the registration of which is required in the District of Columbia. If a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the condition stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of these regulations.

"Owner."

Conditional vendee or lessee.

Mortgagor entitled to possession.

(d) The term "director" means the director of vehicles and traffic of the District of Columbia, including assistants or agents duly designated by the Commissioners.

"Director."

(e) The term "dealer" means any person engaged in the business of manufacturing, distributing, or dealing in motor vehicles.

"Dealer."

(f) The term "public highway" means any road, street, alley, or way, open to use of the public, as a matter of right, for purposes of vehicular traffic.

"Public highway."

(g) The term "trailer" means a vehicle without motor power intended or used for carrying property or persons and drawn or intended to be drawn by a motor vehicle, whether such vehicle without motor power carries the weight of the property or persons wholly on its own structure or whether a part of such weight rests upon or is carried by a motor vehicle.

"Trailer."

"Farm tractor." (h) The term "farm tractor" means a motor vehicle designed and used primarily for drawing implements of agricultural husbandry.

"Pneumatic tire." (i) The term "pneumatic tire" means a tire inflated with compressed air.

REGISTRATION

Registration requirements. SEC. 2. (a) No motor vehicle shall be operated and no trailer operated or moved on the public highways of the District of Columbia (except motor vehicles or trailers operated by nonresidents, exempted under the provisions of section 8 of the District of Columbia Traffic Act, 1925, as amended (D. C. Code, title 6, sec. 245a), and motor vehicles covered by a dealer's registration as provided in subsection (b) (1) of this section) unless registered in the department of vehicles and traffic of the District of Columbia by the owner thereof. Upon receipt of an application from the owner of a motor vehicle and (except in the case of a motor vehicle covered by subsection (b) (2) of this section) payment of a registration fee computed as provided in section 3, and if there is in force with respect to such motor vehicle a valid certificate of title issued under the District of Columbia Traffic Act, 1925, as amended, the director shall issue to such owner a registration certificate and identification tags for such motor vehicle.

Nonresidents excepted. 43 Stat. 1123.

Registration certificates and identification tags.

(b) The Commissioners of the District of Columbia by regulation shall provide for the issuance by the director—

Dealers; fee. (1) Annually to any dealer in motor vehicles, upon payment of the fee prescribed in section 3, of a registration certificate and identification tags bearing a distinguishing dealer's mark, for interchangeable use on motor vehicles in accordance with regulations promulgated by the Commissioners;

Vehicles, Government owned or in official use of foreign government representative. (2) Annually, without charge, of certificates of registration and identification tags for all motor vehicles owned by the United States or by the District of Columbia, or officially used by any duly accredited representative of a foreign government; and

Duplicates; issue, fee. (3) Of duplicate registration certificates or duplicate identification tags, upon proof satisfactory to the director of loss, mutilation, or destruction thereof, upon payment of a fee of $1 for each set of duplicate tags or 50 cents for each duplicate registration certificate.

Expiration date of registrations; exceptions. (c) All registrations made under this title shall expire at midnight on the last day of the calendar year for which the registrations were made unless the time be extended by the Commissioners. During the last two months of any calendar year registrations may be made for the next ensuing calendar year, and from December 16 to 31, both inclusive, it shall be lawful to operate a motor vehicle registered for the next ensuing year.

Advance registration.

Transfer provisions. (d) Upon the sale or other transfer to another owner of any motor vehicle registered under this title, the registration thereof shall expire. The owner selling or otherwise transferring such vehicle may register another motor vehicle for the unexpired portion of the current year upon payment of a fee of $1 and a sum equal to the difference between the registration fee originally paid and the fee computed for such other motor vehicle under section 3, in case the latter is the greater.

Regulations to be prescribed. (e) The Commissioners of the District of Columbia are authorized to prescribe such regulations as may be necessary to carry out the provisions of this title and shall prescribe such form of application for registration, such form of registration certificate, such design of

identification tags, and provide for the keeping of such records of registration and transfers of registration as will facilitate the identification and the regulation of motor vehicles operated in the District of Columbia.

REGISTRATION FEES

Registration fees, classes designated.

SEC. 3. (a) There shall be levied, collected, and paid for each calendar year for each motor vehicle operated in the District of Columbia and for each trailer operated or moved in the District of Columbia required to be registered hereunder, the registration fees provided in this section.

Class A. 47 Stat. 555.

(b) CLASS A. For each gasoline-propelled passenger vehicle, including passenger vehicles licensed under paragraph 31 (b) or paragraph 31 (d) of section 7 of the District of Columbia Appropriation Act for the fiscal year ending June 30, 1903, approved July 1, 1902, as amended by the Act of Congress approved July 1, 1932—

(1) When equipped with pneumatic tires, the manufacturer's shipping weight of which is not more than three thousand five hundred pounds, $5; more than three thousand five hundred pounds and not more than four thousand five hundred pounds, $8; over four thousand five hundred pounds, $12.

(2) When equipped with other than pneumatic tires, double the above fees.

Class B.

CLASS B. For each gasoline-propelled truck, tractor, trailer, and passenger-carrying vehicle for hire having a seating capacity of eight passengers or more in addition to the driver or operator, with the exception of passenger vehicles licensed under paragraph 31 (b) of section 7 of the District of Columbia Appropriation Act for the fiscal year ending June 30, 1903, approved July 1, 1902, amended by the Act of Congress approved July 1, 1932—

(1) When equipped with pneumatic tires, the manufacturer's shipping weight of the chassis, plus the weight of the cab and body, is not more than two thousand pounds, $15; more than two thousand pounds and not more than four thousand pounds, $20; more than four thousand pounds and not more than six thousand pounds, $35; more than six thousand pounds and not more than eight thousand pounds, $50; more than eight thousand pounds and not more than ten thousand pounds, $65; more than ten thousand pounds and not more than twelve thousand pounds, $75; more than twelve thousand pounds and not more than sixteen thousand pounds, $100; over sixteen thousand pounds, $150.

(2) When equipped with other than pneumatic tires, with the exception of trailers, double the above fees.

Class C.

CLASS C. For each motorcycle, motor bicycle, motor tricycle, and motor wheel, $5.

Class D.

CLASS D. Motor vehicles not propelled by gasoline, double the fees for similar vehicles propelled by gasoline.

Class E.

CLASS E. For dealers' identification tags, first three sets of tags, $25, and $5 for each additional set.

Registration on or after August 1, fee.

(c) When application for registration of any motor vehicle is received by the director on or after August 1, the registration fee for such vehicle for the current year shall be one-half the amount provided for the class in which such vehicle falls.

Proceeds from fees, collections, etc., to constitute special account.

(d) All proceeds from fees payable under this title and all moneys collected from the motor-vehicle fuel tax, and fees charged for the titling of motor vehicles, including fees charged for the issuance of permits to operate motor vehicles, shall be deposited in a special account in the Treasury of the United States entirely to the credit

Uses designated.

of the District of Columbia and shall be appropriated and used solely and exclusively for the following purposes:

Highways, construction, etc.

(1) For construction, reconstruction, improvement, and maintenance of public highways, including the necessary administrative expenses in connection therewith;

Traffic control expenses.

(2) For the expenses of the office of the director of vehicles and traffic incident to the regulation and control of traffic and the administration of the same; and

Police control, etc.

(3) For the expenses necessarily involved in the police control, regulation, and administration of traffic upon the highways: *Provided, however*, That the total amount to be expended under this item shall not exceed 15 per centum of the total amount appropriated for pay and allowances of officers and members of the Metropolitan Police force.

Proviso Limitation on amount.

Designated appropriations for 1938 payable from special fund hereby created.

For the fiscal year 1938 all moneys appropriated for the construction, reconstruction, improvement, and maintenance of highways and administrative expenses in connection therewith, all moneys appropriated for the department of vehicles and traffic, and 15 per centum of all moneys appropriated for pay and allowances for officers and members of the Metropolitan Police force shall be paid from and chargeable against the fund hereby created.

Unlawful acts.

UNLAWFUL ACTS

SEC. 4. (a) It shall be unlawful—

Operating motor vehicle, etc., not registered; exceptions.

43 Stat. 1123.

(1) For any person to operate any motor vehicle or trailer upon any public highway of the District of Columbia (except motor vehicles or trailers operated by nonresidents exempted under the provisions of section 8 of the District of Columbia Traffic Act, 1925, as amended (D. C. Code, title 6, sec. 245a)) (A) if such motor vehicle or trailer is not registered as required by this title, (B) if such motor vehicle or trailer does not have attached thereto and displayed thereon the identification tags required therefor, or (C) if such person does not have in his possession or in the motor vehicle or trailer operated the certificate of registration required therefor.

Without identification tags.

Without possession of registration certificate.

Owner permitting unlawful acts.

(2) For the owner of any motor vehicle knowingly to permit the operation thereof contrary to any provision of paragraph (1).

Use of false name, etc.

(3) To use a false or fictitious name or address in any application for registration or any renewal or duplicate thereof, or knowingly to make any false statement or conceal any material fact in any such application.

Penalty provisions.

(b) Any person violating any provision of this title or the regulations made or promulgated under the authority hereof shall upon conviction thereof be subject to a fine of not more than $300 or imprisonment of not more than thirty days, or both such fine and imprisonment.

Prosecutions in police court.

All such prosecutions shall be in the police court of the District of Columbia upon information filed by the corporation counsel of the District of Columbia or any of his assistants in the name of the District of Columbia.

Provisions not affected.

PROVISIONS NOT AFFECTED

Power of Commissioners to make rules, etc.

SEC. 5. (a) Nothing in this title shall be construed to affect the power of the Commissioners of the District of Columbia, under the District of Columbia Traffic Act, 1925, as amended (D. C. Code, title 6, sec. 243; Public, Numbered 742, Seventy-first Congress), to make rules and regulations, not inconsistent with the provisions of this title, with respect to the registration of motor vehicles.

46 Stat. 1424.

(b) Nothing in this title shall be construed to relieve any person from the payment of any license tax under section 7 of the District of Columbia Appropriation Act for the fiscal year ending June 30, 1903, approved July 1, 1902, as amended (D. C. Code, title 20, secs. 897, 881, 882).

Existing provisions not affected.
32 Stat. 622.

REPEALS

Registration fees, etc.
Provisions repealed.
43 Stat. 108.

SEC. 6. Sections 12 and 13 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels, sold within the District of Columbia, and for other purposes", approved April 23, 1924, as amended (D. C. Code, title 20, secs. 842, 843), are repealed.

EFFECTIVE DATE

Effective date of title.

SEC. 7. This title shall take effect on January 1 of the first calendar year following the enactment thereof, except that the Commissioners of the District of Columbia are authorized to provide for the registration of motor vehicles under this title for such calendar year, beginning with the 1st day of November preceding such effective date.

TITLE V—INHERITANCE AND ESTATE TAXES

Title V—Inheritance and estate taxes.

Taxes shall be imposed upon estates of decedents and upon the shares of beneficiaries of such estates as hereinafter provided:

ARTICLE I—INHERITANCE TAX

Inheritance tax.

Application of.
Transfers to children, etc., in excess of $5,000.

SEC. 1. (a) All real property and tangible and intangible personal property, or any interest therein, having its taxable situs in the District of Columbia, transferred from any person who may die seized or possessed thereof, either by will or by law, or by right of survivorship, and all such property, or interest therein, transferred by deed, grant, bargain, gift, or sale (except in cases of a bona fide purchase for full consideration in money or money's worth), made or intended to take effect in possession or enjoyment after the death of the decedent, or made in contemplation of death, to or for the use of, in trust or otherwise (including property of which the decedent has retained for his life or for any period not ascertainable without reference to his death or for any period which does not in fact end before his death (1) the possession or enjoyment of, or the right to the income from such property or (2) the right, either alone or in conjunction with any person, to designate the persons who shall possess or enjoy the property or the income therefrom), the father, mother, husband, wife, children by blood or legally adopted children, or any other lineal descendants or lineal ancestors of the decedent, shall be subject to a tax of 1 per centum on so much of the clear value of such property so transferred to each such beneficiary as is in excess of $5,000.

Transfers to brothers, etc., in excess of $2,000.

(b) So much of said property as is in excess of $2,000, so transferred to each of the brothers, sisters, nephews, and nieces of the whole or half blood of the decedent shall be subject to a tax of 3 per centum thereof.

Over $1,000 to any not included in first two classes.

(c) So much of said property as is in excess of $1,000, so transferred to each of the grandnephews and grandnieces of the decedent and all persons other than those included in paragraphs (a) and (b) of this section, and all firms, institutions, associations, and corporations, shall be subject to a tax of 5 per centum thereof.

Discharge of liability for payment.

(d) Executors, administrators, trustees, and other persons making distribution shall only be discharged from liability for the amount of such tax, with the payment of which they are charged, by paying the same as hereinafter described.

Property transferred exclusively for public, etc., purposes.

(e) Property transferred exclusively for public or municipal purposes, to the United States or the District of Columbia, or exclusively for charitable, educational, or religious purposes within the District of Columbia, shall be exempt from any and all taxation under the provisions of this section.

Beneficiary dying within six months after testator's death and before possession, etc.

(f) Where any beneficiary has died or may hereafter die within six months after the death of the decedent and before coming into the possession and enjoyment of any property passing to him, and before selling, assigning, transferring, or in any manner contracting with respect to his interest in such property, such property shall be taxed only once, and if the tax on the property so passing to said beneficiary has not been paid, then the tax shall be assessed on the property received from such share by each beneficiary thereof, finally entitled to the possession and enjoyment thereof, as if he had been the original beneficiary, and the exemptions and rates of taxation shall be governed by the respective relationship of each of the ultimate beneficiaries to the first decedent.

Application of title.

(g) The provisions of article I of this title shall apply to property in the estate of every person who shall die after this title becomes effective.

Transfers within two years prior to death.

(h) The transfer of any property, or interest therein, within two years prior to death, shall, unless shown to the contrary, be deemed to have been made in contemplation of death.

Consolidation of property and interests.

(i) All property and interest therein which shall pass from a decedent to the same beneficiary by one or more of the methods specified in this section, and all beneficial interests which shall accrue in the manner herein provided to such beneficiary on account of the death of such decedent, shall be united and treated as a single interest for the purpose of determining the tax hereunder.

Tax based on market value; appraisal.

SEC. 2. The tax provided in section 1 shall be paid on the market value of the property or interest therein at the time of the death of the decedent as appraised by the assessor of the District of Columbia, or, in the discretion of the assessor, upon the value as appraised by the probate court of said District. The taxable portion of real or personal property held jointly or by the entireties shall be determined by dividing the value of the entire property by the number of persons in whose joint names it was held.

Appraisal deemed true value.

SEC. 3. The appraisal thus made shall be deemed and taken to be the true value of the said property or interest therein upon which the said tax shall be paid, and the amount of said tax and the tax imposed by article II of this title shall be a lien on said property or interest therein for the period of ten years from the date of the death of the decedent.

Tax imposed to be a lien on property.

Report by decedent's personal representative.

SEC. 4. The personal representative of every decedent, the value of whose estate is in excess of $1,000, shall, within fifteen months after the death of the decedent, report under oath, to the assessor, on forms provided for that purpose, an itemized schedule of all the property (real, personal, and mixed) of the decedent; the market value thereof at the time of the death of the decedent; the name or names of the persons to receive the same and the actual value of the property that each will receive; the relationship of such persons to the decedent, and the age of any persons who receive a life interest in the property, and any other information which the assessor may require. Said personal representative shall, within eighteen months of the date of the death of the decedent and before distribution of the estate, pay to the collector of taxes of the District of Columbia the taxes imposed by section 1 upon the distributive shares and legacies in his hands and the tax imposed by section 1 hereof against each distributive share or legacy shall be charged against such distributive share or legacy unless the will shall otherwise direct.

Contents.

Payment of taxes.

Collection of distributive share

SEC. 5. The personal representative of the decedent shall collect from each beneficiary entitled to a distributive share or legacy the tax imposed upon such distributive share or legacy in section 1 hereof, and if the said beneficiary shall neglect or fail to pay the same within fifteen months after the date of the death of the decedent such personal representative shall, upon the order of the District Court of the United States for the District of Columbia, sell for cash so much of said distributive share or legacy as may be necessary to pay said tax and all the expenses of said sale.

Liability of bond for assessments.

SEC. 6. The bond of the personal representative of the decedent shall be liable for all taxes and penalties assessed under this title: *Provided*, That in no case shall the bond or the personal representative be liable for a greater sum than is actually received by him.

Proviso. Limitation.

Designated property not under control of personal representative, report.

SEC. 7. Every person entitled to receive property taxable under section 1 hereof which property is not under the control of a personal representative, and is over $1,000 in value shall, within sixty days after the death of the decedent, report under oath to the assessor, on forms provided for that purpose, an itemized schedule of all property (real, personal, and mixed) received or to be received by such person; the market value of the same at the time of the death of the decedent and the relationship of such person to the decedent; and any other information which the assessor may require. The tax on the transfer of any such property shall be paid by such person to the collector of taxes within six months after the date of the death of the decedent.

Payment of tax.

Monthly report of names of decedents, etc., by register of wills.

SEC. 8. The register of wills of the District of Columbia shall report to the assessor on forms provided for the purpose every qualification in the District of Columbia upon the estate of a decedent. Such report shall be filed with the assessor at least once every month, and shall contain the name of the decedent, the date of his death, the name and address of the personal representative, and the value of the estate, as shown by the petition for administration or probate.

Administration, rules, etc.

SEC. 9. The Commissioners of the District of Columbia shall have supervision of the enforcement of this title and shall have the power to make such rules and regulations, consistent with its provisions, as may be necessary for its enforcement and efficient administration and to provide for the granting of extension of time within which to perform the duties imposed by this title. The assessor shall determine all taxes assessable under this title and immediately upon the determination of same, shall forward a statement of the taxes determined to the person or persons chargeable with the payment thereof and shall give advice thereof to the collector of taxes. Any person dissatisfied with such determination either as to value or the amount of tax imposed, may, within thirty days after such determination, appeal to the Board of Personal Tax Appeals. Upon hearing, said Board may affirm, modify, or set aside the determination of the assessor. The Board of Personal Tax Appeals is authorized to convene at such times as may be necessary to exercise its functions under this section.

Determination of assessable taxes.

Appeal.

Hearing; decision

Testimony; production of books, records, etc.

The assessor of the District of Columbia is hereby authorized and empowered to summon any person before him or any member of the board of assistant assessors or the Board of Personal Tax Appeals to give testimony on oath or affirmation or to produce all books, records, papers, documents, or other legal evidence as to any matter relating to this title, and the assessor or any member of the board of assistant assessors or Board of Personal Tax Appeals is authorized to administer oaths and to take testimony for the purposes of the administration of this title. Such summons may be served by any member of the Metropolitan Police Department. If any person having been personally summoned shall neglect or refuse to obey the summons

issued as herein provided, then and in that event the assessor may report that fact to the District Court of the United States for the District of Columbia or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to said summons to the same extent as witnesses may be compelled to obey the subpenas of that court.

Life interest or for term of years, payment of tax

SEC. 10. In the case of any grant, deed, devise, descent, or bequest of a life interest or term of years, the donee for life or years shall pay a tax only on the value of his interest, and the donee of the future interest shall pay his tax when his right of possession or enjoyment accrues. In the case of a devise, descent, bequest, or grant to take effect in possession or enjoyment after the expiration of one or more life estates or of a term of years, the tax shall be assessed on the value of the property or interest therein coming to the beneficiary at the time when he becomes entitled to the same in possession or enjoyment. Said tax shall be a lien for the period of ten years on the property or interest therein from the date when said beneficiary becomes entitled to the same in possession or enjoyment.

Future estates, assessment of tax.

Tax a lien on property

Taxes in arrears, additional amount.

SEC. 11. If the taxes imposed by this title are not paid when due, 1 per centum interest for each month or portion of a month from the date when the same were due until paid shall be added to the amount of said taxes and collected as a part of the same, and said taxes shall be collected by the collector of taxes of the District of Columbia in the manner provided by the law for the collection of taxes due the District of Columbia on personal property in force at the time of such collection.

Compelling performance of duty.

SEC. 12. If any person shall fail to perform any duty imposed upon him by the provisions of this title or the regulations made hereunder the Commissioners of the District of Columbia may proceed by petition for mandamus to compel performance and upon the granting of such writ the court shall adjudge all costs of such proceeding against the delinquent.

Failure to file required return; penalty

SEC. 13. Any person required by this title to file a return who fails to file such return within the time prescribed by this title, or within such additional time as may be granted under regulations promulgated by the Commissioners of the District of Columbia, shall become liable in his own person and estate to the District of Columbia in an amount equal to 25 per centum of the tax found to be due. In case any person required by this title to file a return knowingly files a false or fraudulent return, he shall become liable in his own person and estate to the said District in an amount equal to 50 per centum of the tax found to be due. Such amounts shall be collected in the same manner as is herein provided for the collection of the taxes levied under this title.

False, etc., returns.

Willful failure to pay taxes, make return, etc., penalty.

SEC. 14. Any person required by this title to pay a tax or required by law or regulation made under authority thereof to make a return or keep any records or supply any information for the purposes of computation, assessment, or collection of any tax imposed by this title, who willfully fails to pay such tax, make any such return, or supply any such information at the time or times required by law or regulation shall, in addition to other penalties provided by law, be guilty of a misdemeanor and upon conviction thereof be fined not more than $1,000 or imprisoned for not more than one year, or both.

Release of lien when tax liability discharged.

SEC. 15. When the assessor is satisfied that the tax liability of any estate has been fully discharged or provided for, he may, under regulations prescribed by the Commissioners of said District, issue his certificate, releasing any or all property of such estate from the lien herein imposed.

Transfers of decedent's assets to other than executor, etc.; notice to assessor.

SEC. 16. No person holding, within the District of Columbia, tangible or intangible assets of any resident or nonresident decedent shall deliver or transfer the same or any part thereof to any person other than an executor, administrator, or collector of the estate of such decedent appointed by the District Court of the United States for the District of Columbia, unless notice of the date and place of such intended transfer be served upon the assessor of the District of Columbia at least ten days prior to such delivery or transfer, nor shall any person holding, within the District of Columbia, any assets of a resident or nonresident decedent deliver or transfer the same or any part thereof to any person other than an executor, administrator, or collector of the estate of such decedent appointed by said District Court without retaining a sufficient portion or amount thereof to pay any tax which may be assessed on account of the transfer of such assets under the provisions of this article and article II without an order from the assessor of the District of Columbia authorizing such transfer. It shall be lawful for the assessor of the District of Columbia personally, or by his representatives, to examine said assets at any time before such delivery or transfer. Failure to serve such notice or to allow such examination or to retain as herein required a sufficient portion or amount to pay the taxes imposed by this title shall render such person liable to the payment of such taxes. The assessor of the District may issue a certificate authorizing the transfer of any such assets whenever it appears to the satisfaction of said assessor that no tax is due thereon.

Retention of portion to pay tax

Examination of assets by assessor.

Issuance of certificate.

"Person", construed.

SEC. 17. The word "person" when used in this title shall include individuals, partnerships, associations, and corporations.

ARTICLE II—ESTATE TAXES

Estate taxes.

Levy on transfers of estate, additional.

SEC. 18. In addition to the taxes imposed by article I, there is hereby imposed upon the transfer of the estate of every decedent who, after this title becomes effective, shall die a resident of the District of Columbia, a tax equal to 80 per centum of the Federal estate tax imposed by subdivision (a) of section 301, title III, of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted.

Amount.

44 Stat. 69.
26 U. S. C. §§ 410, 460.

Credits allowed.

SEC. 19. There shall be credited against and applied in reduction of the tax imposed by section 18 of this title the amount of any estate, inheritance, legacy, or succession tax lawfully imposed by any State or Territory of the United States, in respect of any property included in the gross estate for Federal estate-tax purposes as prescribed in title III of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted: *Provided, however*, That only such taxes as are actually paid and credit therefor claimed and allowed against the Federal estate tax may be applied as a credit against and in reduction of the tax imposed by section 18.

Proviso.
Restriction.

Not to exceed difference between maximum credit and levy by States, etc.

SEC. 20. In no event shall the tax imposed by section 18 of this title exceed the difference between the maximum credit which might be allowed against the Federal estate tax imposed by title III of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted, and the aggregate amount of the taxes described in section 19 of this title (but not including the tax imposed by section 18) allowable as a credit against the Federal estate tax.

Designated benefits to District.

SEC. 21. The purpose of section 18 of this title is to secure for the District of Columbia the benefit of the credit allowed under the provisions of section 301 (c) of title III of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted, to the extent that the District of Columbia may be entitled by the provisions of said Revenue Act, by imposing additional taxes, and the same shall be

Proviso. Failure to secure Federal credit allowance not to decrease tax.

liberally construed to effect such purpose: *Provided*, That the amount of the tax imposed by section 18 of this title shall not be decreased by any failure to secure the allowance of credit against the Federal estate tax.

Executor required to file copy of Federal estate tax return with assessor

SEC. 22. Every executor or administrator of a decedent dying a resident of the District of Columbia or, if there is no executor or administrator appointed, qualified, and acting within the District of Columbia, then any person in actual or constructive possession of any property forming part of the gross estate of the decedent for Federal estate-tax purposes shall, within thirty days of the filing of the return for Federal estate-tax purposes required by section 304 of the Revenue Act of 1926, file with the assessor for the District of Columbia a copy, verified by the affidavit of the person filing the return with the assessor, of such Federal estate-tax return and shall, within thirty days after the date of any communication from the Commissioner of Internal Revenue, confirming, increasing, or diminishing the tax shown to be due, file a copy of such communication with the assessor. With the copy of the Federal estate-tax return there shall be filed an affidavit as to the several amounts paid or expected to be paid as taxes within the purview of section 19 hereof.

44 Stat. 74. 26 U. S. C. §§ 420, 421, 464.

Assessment on basis of return.

SEC. 23. The assessor of the District of Columbia shall, upon receipt of the return and accompanying affidavit, assess such amount as he may determine from the basis of the return, to be due the District of Columbia. Upon receipt of a copy of any communication from the Commissioner of Internal Revenue, herein required to be filed, the assessor shall make such additional assessment or shall make such abatement of the assessment as may appear proper.

Tax herein imposed payable in 30 days.

SEC. 24. The tax imposed by this article shall be paid to the collector of taxes within thirty days after the determination of said taxes by the assessor of the District of Columbia.

Effective date of title.

SEC. 25. This title shall become effective at 12:01 antemeridian, the day immediately following its approval.

Title VI—Tax on privilege of doing business.

TITLE VI—TAX ON PRIVILEGE OF DOING BUSINESS

Definitions.

SEC. 1. Where used in this title—

"Person."

(a) The term "person" includes any individual, firm, copartnership, joint adventure, association, corporation (domestic or foreign), trust, estate, receiver, or any other group or combination acting as a unit, but shall not include railroad or railroad express companies which report to and are subject to regulation by the Interstate Commerce Commission under the provisions of the Interstate Commerce Act of 1887, as amended.

"Taxpayer."

(b) The term "taxpayer" means any person liable for any tax hereunder.

"Commissioners."

(c) The term "Commissioners" means the Commissioners of the District of Columbia or their duly authorized representative or representatives.

"Business."

(d) The term "business" shall include the carrying on or exercising for gain or economic benefit, either direct or indirect, any trade, business, profession, vocation, or commercial activity in or on privately owned property and in or on property owned by the United States Government in the District of Columbia, not including, however, labor or services rendered by any individual as an employee for wages, salary, or commission.

"Gross receipts."

(e) The term "gross receipts" means the gross receipts received from any business in the District of Columbia, including cash, credits, and property of any kind or nature, without any deduction therefrom on account of the cost of the property sold, the cost of materials, labor, or services or other costs, interest, or discount paid,

or any other expenses whatsoever: *Provided*, That the term "gross receipts" when used in connection with or in respect of financial transactions involving the sale of notes, stocks, bonds, and other securities, or the loan, collection, or advance of money, or the discounting of notes, bills, or other evidences of debt, shall be deemed to mean the gross interest, discount, commission, or other gross income earned by means of or resulting from said financial transactions: *Provided further*, That in connection with commission merchants, attorneys or other agents, the term "gross receipts" shall be deemed to mean the gross amount of such commissions or gross fees received by them, and, as to stock and bond brokers, the term "gross receipts" shall be deemed to mean gross amount of commissions or gross fees received, the gross trading profit on securities bought and sold, and the gross interest income on marginal accounts from business done or arising in the District of Columbia: *Provided further*, That with respect to contractors the term "gross receipts" shall mean their total receipts less money paid by them to sub-contractors for work and labor performed and material furnished by such sub-contractors in connection with such work and labor.

Provisos. Term when used in certain financial transactions.

In connection with commission merchants, etc.

With respect to contractors.

(f) The term "fiscal year" means a year beginning on the 1st day of July and ending on the 30th day of the June following.

"Fiscal year"

SEC. 2. No person shall engage in or carry on any business in the District of Columbia after sixty days from the approval of this Act and until July 1, 1938, without first having obtained a license so to do from the Commissioners, except that no license shall be required of any person selling newspapers, magazines, or periodicals, whose sales are not made from a fixed location and which sales do not exceed the annual sum of $2,000. All licenses issued under this title shall expire on June 30, 1938, and no license may be transferred to any other person.

Licenses required, exceptions.

Duration; restriction on transfer.

All licenses granted under this title must be conspicuously posted on the premises of the licensee and said license shall be accessible at all times for inspection by the police or other officers duly authorized to make such inspection. Licensees having no located place of business shall exhibit their licenses when requested to do so by any of the officers above named.

Posting, accessibility.

Licenses shall be good only for the location designated thereon, except in the case of licenses issued hereunder for businesses which in their nature are carried on at large and not at a fixed place of business, and no license shall be issued for more than one place of business without a payment of a separate fee for each.

Good for designated location only.

The Commissioners may, after hearing, revoke any license issued hereunder for failure of the licensee to file a return or corrected return within the time required by this title or to pay any installment of tax when due.

Revocation.

SEC. 3. Each application for license shall be accompanied by a filing fee of $10: *Provided, however*, That no license fee shall be required of any person if he shall certify under oath that his gross receipts during the year immediately preceding his application, if he was engaged in business during all of such period of time, or his gross receipts as computed in the manner provided in section 5 of this title, if he was engaged in business for less than one year immediately preceding his application, was not more than $2,000. Such application shall be upon a form prescribed and furnished by the Commissioners.

Filing fee.

Proviso. Exemptions.

SEC. 4. Every person subject to the tax hereunder shall, within thirty days after the approval of this Act, furnish to the assessor, on a form prescribed by the Commissioners, a statement under oath showing the gross receipts of the taxpayer during the preceding calendar year, which said return shall contain such other infor-

Financial statement to be furnished.

mation as the Commissioners may deem necessary for the proper administration of this title.

Examination of books, etc.

The Commissioners, for the purpose of ascertaining the correctness of any return filed hereunder, or for the purpose of making a return where none has been made, are authorized to examine any books, papers, records, or memoranda bearing upon the matters required to be included in the return and may summon any person to appear and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return, and to give testimony or answer interrogatories under oath respecting the same, and the Commissioners shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person having been personally summoned shall neglect or refuse to obey the summons issued as herein provided, then, and in that event, the Commissioners may report that fact to the District Court of the United States for the District of Columbia, or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to such summons to the same extent as witnesses may be compelled to obey the subpenas of that court.

Summons; power to compel obedience

Extension of time for filing return.

The Commissioners are authorized and empowered to extend for cause shown the time for filing a return for a period not exceeding thirty days.

Tax rate.

SEC. 5. For the privilege of engaging in business in the District of Columbia, each person so engaged shall pay to the collector of taxes of the District of Columbia for the fiscal year 1937–1938 a tax equal to two-fifths of 1 per centum of the gross receipts in excess of $2,000 derived from such business for the calendar year 1936: *Provided, however*, That the tax imposed by this section shall be payable only upon the gross commissions of any person engaged in the business of a broker or agent, and shall not be payable upon the funds of his principal, of which he is a mere conduit.

Proviso. Broker or agent.

Computation for fraction of year.

If a taxpayer was not engaged in business during the whole of the calendar year 1936 he shall pay the tax imposed by this title measured by his gross receipts during the period of one year from the date when he became so engaged; and if such taxpayer shall not have been so engaged for an entire year prior to the approval of this Act, then the tax imposed shall be measured by his gross receipts for the period during which he was so engaged, multiplied by a fraction, the numerator of which shall be 365 and the denominator of which shall be the number of days during which he was so engaged.

Consolidation of business.

If a person liable for the tax during any year or portion of a year for which the tax is computed acquires the assets or franchises of or merges or consolidates his business with the business of any other person or persons, such person liable for the tax shall report, as his gross receipts by which the tax is to be measured, the gross receipts for such year of such other person or persons together with his own gross receipts during such year.

National banks, public utilities, etc., exempt.

SEC. 6. National banks and all other incorporated banks and trust companies, street railroad, gas, electric lighting and telephone companies, companies incorporated or otherwise, who guarantee the fidelity of any individual or individuals, such as bonding companies, companies who furnish abstracts of titles, savings banks, and building and loan associations which pay taxes under existing laws of the District of Columbia upon gross receipts or gross earnings, and insurance companies which pay a tax upon premiums shall be exempt from the provisions of this title. Any tax levied by the District of Columbia upon tangible personal property (other than motor vehicles) for the fiscal year 1937–1938 and paid by such taxpayer shall be credited upon the tax due under this title.

Tax on tangible personal property; credit therefor.

Payment of taxes.

SEC. 7. The taxes imposed hereby shall be due thirty days after the approval of this Act and may be paid without penalty to the collector of taxes of the District of Columbia in equal semiannual installments in the months of September and March following. If either of said installments shall not be paid within the month when the same is due, said installment shall thereupon be in arrears and delinquent and there shall be added and collected to said tax a penalty of 1 per centum per month upon the amount thereof for the period of such delinquency, and said installment with the penalties thereon shall constitute a delinquent tax.

Installments in arrears, additional amount.

Return not filed or incorrect, determination of amount due.

SEC. 8. If a return required by this title is not filed, or if a return when filed is incorrect or insufficient and the maker fails to file a corrected or sufficient return within twenty days after the same is required by notice from the assessor, the assessor shall determine the amount of tax due from such information as he may be able to obtain, and, if necessary, may estimate the tax on the basis of external indices such as number of employees of the person concerned, rentals paid by him, stock on hand, and other factors. The assessor shall give notice of such determination to the person liable for the tax. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed shall within fifteen days after the giving of notice of such determination apply to the Board of Equalization and Review of the District for hearing and review, and the burden of proving the incorrectness of the assessor's determination shall be upon the taxpayer. After such hearing said Board shall give notice of its decision to the person liable for the tax. The decision of said Board may be reviewed by application to the District Court of the United States for the District of Columbia, if the said application be filed within twenty days after said notice: *Provided, however*, That the amount of any tax sought to be reviewed shall, with interest and penalties thereon, if any, be first deposited with the clerk of said court.

Appeal to Board of Equalization and Review

Review by District Court

Proviso.
Deposit of amount of tax.

Penalty provision.

SEC. 9. Any person failing to file a return or corrected return within the time required by this title shall be subject to a penalty of 10 per centum of the tax due plus 5 per centum of such tax for each month of delay or fraction thereof.

Authorized notice, presumptive evidence of receipt.

SEC. 10. Any notice authorized or required under the provisions of this title may be given by mailing the same to the person for whom it is intended by registered mail addressed to such person at the address given in the return filed by him pursuant to the provisions of this title, or if no return has been filed then to his last-known address. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to whom addressed. Any period of time which must be determined under the provisions of this title by the giving of notice shall commence to run from the date of mailing such notice.

Collection of taxes and penalties

SEC. 11. The taxes levied hereunder and penalties may be collected by the collector of taxes of the District of Columbia in the manner provided by law for the collection of taxes due the District of Columbia on personal property in force at the time of such collection.

Penalties.

SEC. 12. Any person engaging in or carrying on business without first having obtained a license so to do, or failing or refusing to file a sworn report as required herein, or to comply with any rule or regulation of the Commissioners for the administration and enforcement of the provisions of this title shall, upon conviction thereof, be fined not more than $1,000 for each and every failure, refusal, or violation, and each and every day that such failure, refusal, or violation continues shall constitute a separate and distinct offense. All prosecutions under this title shall be brought in the police court of

the District of Columbia on information by the corporation counsel or his assistant in the name of the District of Columbia.

Internal Revenue Bureau to supply requested information.

SEC. 13. The Bureau of Internal Revenue of the Treasury Department of the United States is authorized and required to supply such information as may be requested by the Commissioners relative to any person subject to the taxes imposed under this title.

Inviolability of information pertaining to business of taxpayer.

SEC. 14. Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for the Commissioners or any person having an administrative duty under this title to divulge or make known in any manner the receipts or any other information relating to the business of a taxpayer contained in any return required under this title. The persons charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the United States or the District of Columbia, or on behalf of any party to any action or proceeding under the provisions of this title, when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer, or his duly authorized representative, of a certified copy of any return filed in connection with his tax, nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the corporation counsel of the District of Columbia, or any of his assistants, of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three years and thereafter until the Commissioners order them to be destroyed. Any violation of the provisions of this section shall be subject to the punishment provided by section 12 of this title.

Furnishing taxpayer with copy of his return permitted.
Publication of statistics.

Use of, in court action.

Preservation of returns.

Existing provisions not repealed.

SEC. 15. This title shall not be deemed to repeal or in any way affect any existing Act or regulation under which taxes are now levied.

Title VII—Rate of taxation on tangible property and miscellaneous provisions.

TITLE VII—RATE OF TAXATION ON TANGIBLE PROPERTY AND MISCELLANEOUS PROVISIONS

Rate for fiscal year 1938 on real and tangible personal property.

SEC. 1. (a) For the fiscal year ending June 30, 1938, the rate of taxation imposed for the District of Columbia on real and tangible personal property shall not be less than 1.75 per centum on the assessed value of such property.

Installments, extensions of time for payment authorized.

(b) The Commissioners of the District of Columbia are authorized to extend for not to exceed sixty days the time for payment of any installment of taxes on real property, tangible and intangible personal property, and other taxes, payable in September 1937.

AUTHORIZATION FOR ADVANCE OF FUNDS

Authorization for advance of funds.
42 Stat. 668.

SEC. 2. Until and including June 30, 1938, the Secretary of the Treasury, notwithstanding the provisions of the District of Columbia Appropriation Act, approved June 29, 1922, is authorized and directed to advance, on the requisition of the Commissioners of the District of Columbia, made in the manner now prescribed by law, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary, from time to time, during said fiscal year to meet the general expenses of said District,

as authorized by Congress, and such amounts so advanced shall be reimbursed by the said Commissioners to the Treasury out of the taxes and revenue collected for the support of the government of the said District of Columbia.

SURVEY OF TAX STRUCTURE OF THE DISTRICT

SEC. 3. There is hereby authorized to be appropriated out of the revenues of the District of Columbia the sum of $5,000, for the employment of clerical services in connection with a survey and study of the entire tax structure of the District of Columbia to be made under the direction of the Commissioners of said District. Such sum shall be available for expenditure for personal services without regard to the civil service laws or the Classification Act of 1923, as amended. A report of such survey, with recommendations, shall be made by the Commissioners to Congress not later than January 15, 1938.

Survey of tax structure of the District.
Sum authorized.
Post, p. 759.

Personal services.

Report to Congress.

REGULATIONS

SEC. 4. The Commissioners of the District of Columbia are authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.

Regulations.

SEPARABILITY OF PROVISIONS

SEC. 5. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Separability of provisions

TITLE VIII—AMENDMENT TO THE ANTITRUST LAWS

Title VIII—Amendment to the antitrust laws.

Section 1 of the Act entitled "An Act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890, is amended to read as follows:

26 Stat. 209.
15 U. S. C. § 1.

"SECTION 1. Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal: *Provided*, That nothing herein contained shall render illegal, contracts or agreements prescribing minimum prices for the resale of a commodity which bears, or the label or container of which bears, the trade mark, brand, or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, when contracts or agreements of that description are lawful as applied to intrastate transactions, under any statute, law, or public policy now or hereafter in effect in any State, Territory, or the District of Columbia in which such resale is to be made, or to which the commodity is to be transported for such resale, and the making of such contracts or agreements shall not be an unfair method of competition under section 5, as amended and supplemented, of the Act entitled 'An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes', approved September 26, 1914: *Provided further*, That the preceding proviso shall not make lawful any contract or agreement, providing for the establishment or maintenance of minimum resale prices on any commodity herein involved, between manufacturers, or between producers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other. Every person who shall make any contract or engage in any combination or conspiracy hereby declared to be

Contracts in restraint of trade illegal.

Provisos.
Resale price maintenance; provisions where contracts are lawful in intrastate transactions.

Not deemed unfair method of competition.
38 Stat. 719.
10 U. S. C. § 45

Contracts between manufacturers, etc.

Penalty for violation.

illegal shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding $5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court."

Approved, August 17, 1937.

[CHAPTER 691]

AN ACT

August 17, 1937
[H. R. 7823]
[Public, No. 315]

To authorize the Secretary of Commerce to exchange with the people of Puerto Rico the Guanica Lighthouse Reservation for two adjacent plots of insular forest land under the jurisdiction of the commissioner, department of agriculture and commerce, and for other purposes.

Guanica Lighthouse Reservation, P. R.
Exchange of, for adjacent plots, authorized

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to convey to the people of Puerto Rico the parcel of land and certain improvements comprising the Guanica Lighthouse Reservation in exchange by deeds of conveyance of two adjacent plots of land required for establishing the Guanica Light at a higher elevation to provide greater visibility, and provide for necessary roadway and wharf facilities. The deeds of conveyance shall describe by metes and bounds the lands involved in the exchange, and acceptable titles free of all encumbrances are required to be furnished the United States.

Approved, August 17, 1937.

[CHAPTER 692]

JOINT RESOLUTION

August 17, 1937
[S. J. Res. 171]
[Pub. Res., No. 62]

Relating to the employment of personnel and expenditures made by the Charles Carroll of Carrollton Bicentenary Commission.

Charles Carroll of Carrollton Bicentenary Commission.
Authority granted to fix compensation and to determine expenditures.
49 Stat. 1516

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of carrying out its functions under the joint resolution of June 15, 1936, the Charles Carroll of Carrolton [1] Bicentenary Commission, or the Chairman acting for the Commission, is authorized to fix the compensation of such officers and employees as may be necessary without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, and to determine its necessary expenditures and the manner in which they shall be incurred, allowed, and paid, without regard to the provisions of any other laws governing the expenditure of public funds.

Approved, August 17, 1937.

[CHAPTER 695]

JOINT RESOLUTION

August 19, 1937
[H. J. Res. 363]
[Pub. Res., No 63]

To authorize an additional appropriation to further the work of the United States Constitution Sesquicentennial Commission.

United States Constitution Sesquicentennial Commission.
Additional appropriation authorized.

49 Stat. 1392.
Post, p. 756.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the public resolution entitled "Joint resolution to enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes", approved June 1, 1936 (49 Stat. 1392), is hereby amended by striking out the sum "$200,000" and inserting in lieu thereof the sum "$475,000".

[1] So in original.

SEC. 2. Such public resolution is hereby further amended by adding new sections thereto as follows: New sections.

"SEC. 9. Sums heretofore or hereafter received from the sale of publications and other material of such Commission are hereby authorized to be appropriated as a revolving fund for the further acquisition of such publications and material. Receipts from sale of publications, appropriation authorized as revolving fund.

"SEC. 10. That the United States Constitution Sesquicentennial Commission is authorized and directed to procure sufficient copies of the booklet entitled 'The Story of the Constitution', published by the Commission, to provide a distribution quota of two thousand copies for each Senator, Representative, and Delegate from a Territory. Enclosures for mailing such booklets shall also be provided by the Commission. The quantities of such booklets and enclosures required for Senators shall be delivered to the folding room of the Senate and placed subject to the order of the respective Senators and the quantities required for Representatives and Delegates shall be delivered to the folding room of the House of Representatives and placed subject to the order of the respective Representatives and Delegates. "The Story of the Constitution"; purchase and distribution.

"SEC. 11. Any funds heretofore or hereafter made available to the United States Constitution Sesquicentennial Commission for carrying out the functions imposed upon such Commission by or pursuant to law may be expended by the Commission for printing and binding outside the Government Printing Office and such objects as the Commission may deem necessary and proper to accomplish the purposes of such functions: *Provided*, That this provision shall not be construed as waiving the requirement for the submission of accounts and vouchers to the General Accounting Office for audit. Printing and binding outside Government Printing Office. *Proviso* Accounting.

"SEC. 12. The President is authorized to appoint a director general of such Commission who shall not be deemed an officer of the Government." Director General; appointment, status.

Approved, August 19, 1937.

[CHAPTER 696]

JOINT RESOLUTION

To establish the General Anthony Wayne Memorial Commission to formulate plans for the construction of a permanent memorial to the memory of General Anthony Wayne.

August 19, 1937
[H. J. Res 406]
[Pub. Res., No. 64]

Whereas the people of the United States owe a deep debt of gratitude to General Anthony Wayne, whose military career meant so much during the War of Revolution and whose activities in the Indian wars succeeded in opening such a large tract of territory in the Middle West; and General Anthony Wayne Memorial Commission Preamble.

Whereas no adequate memorial exists at the junction of the Saint Mary's, Saint Joseph, and Maumee Rivers where he established his fort and carried on his campaign: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission, to be known as the "General Anthony Wayne Memorial Commission", and to be composed of nine commissioners, three to be appointed by the President of the United States, three Senators to be appointed by the President of the Senate, and three Members of the House of Representatives to be appointed by the Speaker of the House. Such Commission shall consider and formulate plans for designing and constructing a permanent memorial in the city of Fort Wayne to the said General Anthony Wayne. Establishment, composition, purpose, etc. Construction of permanent memorial at Fort Wayne.

SEC. 2. Such Commission may, in its discretion, accept from any source, public or private, money or property to be used for the purpose of making surveys and investigations, formulating, preparing, Acceptance of gifts.

and considering plans for the construction of such memorial, or other expenses incurred, or to be incurred, in carrying out the provisions of this joint resolution.

Report to Congress.

SEC. 3. The Commission shall report its recommendations to Congress as soon as practicable.

Sum authorized for expenses.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 which shall be available to defray the necessary expenses of the Commission for the performance of their duties herein prescribed. Disbursement of the sum herein authorized shall be made on vouchers approved by the Chairman of the Commission.

Approved, August 19, 1937.

[CHAPTER 697]

AN ACT

August 19, 1937
[S. 2639]
[Public, No. 316]

To authorize the Secretary of War to lease the Fort Schuyler Military Reservation, New York.

Fort Schuyler Military Reservation, N. Y.
Lease to State authorized

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to lease to the State of New York, for nautical education purposes in the interests of national defense, the Fort Schuyler Military Reservation, New York, or portions thereof, for such term or terms, and upon such conditions as the Secretary of War may deem advisable, and he may authorize the State of New York incident to making the premises suitable for occupancy to change the contour of the land, alter or demolish existing buildings and other structures, erect new buildings and structures, construct roads and other utilities, and landscape the reservation: *Provided*, That all alterations, construction, and improvements made shall become the property of the United States: *Provided further*, That the consideration for said lease or leases shall be the repair and maintenance of the property by the State of New York in accordance with the terms of the lease, and such lease or leases shall reserve to the United States of America the right to resume possession and occupy said premises or any portion thereof whenever in the judgment of the Secretary of War an emergency exists that requires the use and appropriation of the same for the public defense.

Terms, conditions, etc.

Provisos.
Improvements.

Consideration for lease

Reservation by United States.

Approved, August 19, 1937.

[CHAPTER 698]

AN ACT

August 19, 1937
[S. 2871]
[Public, No. 317]

For the protection of certain enlisted men of the Army.

Army.
Reenlistment of aliens; citizenship requirements modified.
Ante, p. 446.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the language contained in the second proviso on page 6 of the Act of July 1, 1937 (Public, Numbered 176, Seventy-fifth Congress, first session), or any other Act, during the three-year period following the enactment of this Act, enlisted personnel of the Army who have legally declared their intention to become citizens, or who do so during their current enlistment, or who have been discharged from the Army since July 1, 1937, and who also agree to complete expeditiously their naturalization and become citizens of the United States may be reenlisted and receive the pay to which, except for the aforesaid proviso, they would otherwise be legally entitled: *Provided*, That Filipinos who were serving in the Army on July 1, 1937, may be reenlisted without regard to their citizenship status, and receive the pay to which otherwise legally entitled.

Proviso
Reenlistment of Filipinos.

Approved, August 19, 1937.

[CHAPTER 699]

AN ACT

To authorize the construction of bridges in Caddo Parish, Louisiana.

August 19, 1937
[S. 2882]
[Public, No. 318]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Louisiana, the Louisiana Highway Commission, and/or to the Parish of Caddo, Louisiana, and they are jointly and severally authorized to construct, maintain, and operate a free highway bridge and approaches thereto over each of the following-named streams at the following places in the Parish of Caddo, Louisiana, to wit:

Caddo Parish, La.
Bridge construction authorized at places designated.

1. A bridge across Cross Bayou at Shreveport, Louisiana;

2. A bridge across Twelve Mile Bayou approximately three miles north of Shreveport, Louisiana;

3. A bridge across Caddo Lake at or near Mooringsport, Louisiana;

all to be located along the proposed relocation of the State Highway Route Numbered 8, between Shreveport, Louisiana, and Rodessa, Louisiana, at a point suitable to the interests of navigation, and according to the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to all conditions and limitations contained in this Act.

Construction.
34 Stat. 84.
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 19, 1937.

[CHAPTER 700]

AN ACT

For the relief of the Southeastern University of the Young Men's Christian Association of the District of Columbia.

August 19, 1937
[H. R. 3406]
[Public, No. 319]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the certificate of incorporation and certificate of amendment thereto for the incorporation of the Southeastern University of the Young Men's Christian Association of the District of Columbia under subchapter 1 of chapter 18 of the Code of Laws of the District of Columbia (1929 D. C. Code, title 5, ch. 8) be, and the same are hereby, approved and confirmed, except as herein specifically altered and amended.

District of Columbia.
Southeastern University of the Young Men's Christian Association; incorporation, etc., approved.
31 Stat. 1280.

SEC. 2. That the name of the corporation shall be "Southeastern University".

Name.

SEC. 3. That the management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than twenty-one in number as determined from time to time by said board of trustees, one-third of whom, at all times, shall be graduates of the said university, of the qualifications prescribed by the board of managers of the Young Men's Christian Association of the city of Washington, a corporation organized and existing under and by virtue of the Act of Congress approved June 28, 1864 (13 Stat. L. 411 and the Acts amendatory thereof), nominated by the alumni of the said university in the manner prescribed by said board of managers, and all of whom shall be elected by said board of managers; that C. C. Caywood, A. W. Defenderfer, L. W. DeGast, Charles E. Krey, George A. Lewis, George W. Offutt, John Poole, James P. Schick, H. Randolph Barbee, James A. Bell, Harvey T. Casbarian, and D. Roland Potter shall act as and constitute the first board of trustees under this Act and shall be classified with respect to the time for which they shall severally originally hold office into

Board of trustees; membership, qualifications, etc.

13 Stat. 411.

First board of trustees.

Terms of office.

three equal classes, the first class for the term of one year, the second class for the term of two years, and the third class for the term of three years; the respective original terms of office of any additional trustees shall be such as to equalize said three classes, as far as possible; and the successors to each said class of trustees shall severally hold office for the term of three years, so that the term of office of one class shall expire annually.

Powers and authority of board declared.

SEC. 4. That the said board of trustees is authorized to (a) make, alter, and repeal bylaws for the management of the said corporation and rules and regulations for the government of the university and the "schools", faculty, and students thereof; (b) elect as officers of the said corporation and fix the salaries of a president, a treasurer, and a secretary, and such other officers as it may find necessary, for the respective terms and with the respective powers and duties as fixed by the bylaws of the said corporation; (c) appoint, from among their number, as officers of the said board of trustees and fix the salaries of a chairman, a vice chairman, and a secretary, and such other officers as it may find necessary, for the respective terms and with the respective powers and duties as fixed by the bylaws of the said corporation; (d) remove any trustee when, in its judgment, he shall be found incapable, by age or otherwise, of performing or discharging, or shall neglect or refuse to perform or discharge, the duties of his office; (e) determine and establish from time to time additional "schools" in all departments of sciences, liberal arts, and the professions, and the courses of instruction therein; (f) determine and establish, from time to time, additional professorships; (g) appoint, from time to time, such deans, professors, tutors, and instructors as it may deem necessary, and fix their respective terms, duties, and salaries; and (h) grant and confer degrees, but only upon the recommendation of the appropriate "school".

Corporate powers, etc.

SEC. 5. That the said corporation may have and use a common seal and alter and change the same at pleasure, and shall have power, in its corporate name (a) to sue and be sued; (b) to plead and be impleaded; and (c) to acquire real, personal, and mixed property by gift, grant, purchase, bargain and sale, conveyance, will, devise, bequest, or otherwise, to hold, use, and maintain the same solely for the purposes of education, and to demise, let, mortgage, or otherwise lien, grant, sell, exchange, convey, transfer, place out at interest, or otherwise dispose of the same for its use in such manner as shall seem most beneficial thereto; subject to conforming to the express conditions of the donor of any gift, devise, or bequest with regard thereto accepted by it; provided it shall not hold more land at any one time than necessary for the purposes of education, unless it shall have received the same by gift, grant, or devise, in which case it shall sell and dispose of so much of the same as may not be necessary for said purposes within fifteen years from the date of acquisition, otherwise the same shall revert to the donor or his heirs.

Income, use of.

SEC. 6. That the income of the said corporation from all sources whatsoever shall be held in the name of the corporation and applied to the maintenance, endowment, promotion, and advancement of the said university and the said Young Men's Christian Association of the city of Washington, subject to conforming to the express conditions of the donor of any gift, devise, or bequest accepted by the said corporation, with regard to the income therefrom.

No religious, etc., qualifications.

SEC. 7. That no person shall ever be required to profess any particular religious denomination, sentiment, or opinion as a condition to becoming and continuing a member of the faculty or a student, with the full benefits, privileges, and advantages thereof.

SEC. 8. That no institution of learning hereafter incorporated in the District of Columbia shall use in or as its title, in whole or in part, the words "Southeastern University". Exclusive use of title

SEC. 9. That nothing in this Act contained shall be construed as preventing the Congress from amending, altering, annulling, or repealing the same or any part thereof. Amendment, etc.

Approved, August 19, 1937.

[CHAPTER 701]

AN ACT

August 19, 1937
[H. R. 5472]
[Public, No. 320]

To authorize the exchange of certain lands within the Great Smoky Mountains National Park for lands within the Cherokee Indian Reservation, North Carolina, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized, under such terms and conditions as he may deem proper, to exchange a tract of land of approximately one thousand two hundred and two acres, near Smokemont, North Carolina, known as the Towstring tract and forming a part of the Cherokee Indian Reservation, for three tracts of land, totaling approximately one thousand five hundred and forty-seven acres, in the vicinity of Ravensford, North Carolina, known as the Boundary Tree, Ravensford, and Tight Run tracts and forming a part of the Great Smoky Mountains National Park, conditioned upon the consent of the Eastern Band of Cherokee Indians to this exchange and to the acquisition by the State of North Carolina of a right-of-way, which shall vary in width between two hundred feet and eight hundred feet, for the Blue Ridge Parkway across the said reservation, and further conditioned upon payment to the said Cherokee Indians by the said State of North Carolina of such compensation as shall have been determined by the said Secretary as just and reasonable for the said right-of-way. When the foregoing conditions have been complied with, the Secretary of the Interior is hereby further authorized to grant to the State of North Carolina a right-of-way as hereinbefore provided for.

Great Smoky Mountains National Park, N. C.
Exchange of certain lands within, for lands within the Cherokee Indian Reservation, authorized.

Conditions.

Right-of-way grant to State.

SEC. 2. The consent of the said Cherokee Indians to any proposed exchange and the acquisition of a right-of-way by the State of North Carolina as provided for herein shall be expressed by secret ballot in a general election, in which a majority vote in favor thereof. Such election to be arranged and supervised by the tribal council within sixty days after the passage of this Act, and the results of such election shall be final.

Consent of Indians to be determined by ballot.

SEC. 3. No exchange shall be consummated pursuant to the provisions of this Act unless and until the consent of the State of North Carolina is first had and obtained thereto as indicated by an Act of its legislature.

Consent by State.

SEC. 4. Upon the consummation of the exchange made pursuant to the provisions of this Act, the lands transferred to the Indians shall be held in trust by the United States for the said Eastern Band of Cherokee Indians and shall be nontaxable and nonalienable the same as the balance of the Indian land of the aforesaid reservation, and the lands transferred to the United States for park purposes shall become and be a part of the Great Smoky Mountains National Park and shall be subject to the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), as amended: *Provided*, That should any of the exchanged area or parkway right-of-way herein dealt with cease to be used for park or parkway purposes, the title thereto shall revert to its status prior to the exchange.

Lands transferred to Indians to be held in trust; nontaxable, etc.

Acquisitions by United States for park purposes.
39 Stat. 535.
16 U. S. C. § 1.
Proviso.
Reversionary provision.

Approved, August 19, 1937.

[CHAPTER 702]

AN ACT

August 19, 1937
[H. R. 6914]
[Public, No 321]

To authorize the acquisition by the United States of certain tribally owned lands of the Indians of the Shoshone or Wind River Indian Reservation, Wyoming, for the Wind River irrigation project.

Shoshone Indian Reservation, Wyo.
Acquisition of tribal lands for Wind River irrigation project

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to acquire on behalf of the United States for the use and benefit of the Wind River Indian irrigation project, Shoshone Indian Reservation, Wyoming, at the appraised value thereof, the east half southeast quarter section 8; the east half northeast quarter and northwest quarter southeast quarter section 17; the north half north half northeast quarter section 20; and the north half northwest quarter northwest quarter section 21, all in township 1 south, range 2 west, Wind River Meridian, Wyoming, and not to exceed $650 of the allotment made by the Federal Emergency Administration of Public Works to the Indian Service for Federal project 266–Indian, may be used for this purpose. The amount herein authorized shall be deposited to the credit of the Indians of the Shoshone Reservation as proceeds of labor, Shoshone and Arapahoe Indians, Wyoming, and shall be subject to expenditure pursuant to the provisions of existing laws:

Description.

Deposit to credit of Indians.

Provided, That such deposit of funds shall operate as a full, complete, and perfect extinguishment of all right, title, and interest the Indians may possess in and to the land herein described.

Proviso
Extinguishment of title, etc

Approved, August 19, 1937.

[CHAPTER 703]

AN ACT

August 19, 1937
[H. R. 7086]
[Public, No 322]

To direct the Secretary of the Interior to notify the State of Virginia that the United States assumes police jurisdiction over the lands embraced within the Shenandoah National Park, and for other purposes.

Shenandoah National Park, Va.
Police jurisdiction assumed by United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, directed to give notice to the State of Virginia through its Governor, as contemplated by the Act of the General Assembly of the State of Virginia approved March 28, 1928, that the United States assumes police jurisdiction over lands lying in the State of Virginia and included within the Shenandoah National Park, title to and exclusive jurisdiction over said lands having been conveyed and ceded under and by authority of said Act and accepted by the Secretary of the Interior, saving, however, to the State of Virginia the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county or counties in which said park is situated; and saving further to the said State the right to tax sales of gasoline and other motor vehicle fuels and oil for use in motor vehicles. The Secretary is further directed to give like notice as to lands hereafter conveyed to the United States under like authority at such time or times as he shall determine to be consistent with the interests of the United States. All the laws applicable to places under sole and exclusive jurisdiction

Exceptions.
Service of process, suits, etc., arising outside.

State tax powers.

Franchise.

Gasoline, etc., tax.

Provisions applicable to future conveyances.

Application of laws.

of the United States shall have force and effect in said park. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in the State of Virginia.

Fugitives from justice

SEC. 2. That said park shall constitute a part of the United States judicial district for the western district of Virginia, and the district court of the United States in and for said district shall have jurisdiction of all offenses committed within the boundaries of the said park.

District court for western district of Virginia, jurisdiction of

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park; nor shall any fish be taken out of any of the waters of the said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. That the Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima-facie evidence that the person or persons having same are guilty of violating this Act. Any person or persons, or stage or express company, or railway company, who knows or has reason to believe that they were taken or killed contrary to the provisions of this Act, and who receives for transportation any of said animals, birds, or fish so killed, caught, or taken, or who shall violate any of the other provisions of this Act, or any rule or regulation that may be promulgated by the Secretary of the Interior, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, or fish in the said park, or who shall within said park commit any damage, injury or spoliation to or upon any building, fence, sign, hedge, gate, guide post, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than $500 or imprisonment not exceeding six months, or both, and be adjudged to pay all the costs of the proceedings.

Protection of birds and animals

Unlawful fishing

Administrative rules, etc

Unlawful acts, evidence of violations.

Penalty provisions.

SEC. 4. That all guns, traps, nets, seines, teams, horses, or means of transportation of every nature or description, used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild beasts, birds, fish, or animals, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this Act, and upon conviction under this Act of such person or persons using said guns, traps, nets, seines, teams, horses, or other means of transportation, such forfeiture shall be adjudicated

Guns, traps, teams, etc, forfeiture or seizure for violations.

Disposition of.

as a penalty in addition to the other punishment prescribed in this Act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior.

United States commissioner. Appointment, jurisdiction

SEC. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of Virginia shall appoint a commissioner who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this Act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a violation of the rules and regulations, or with a violation of any of the provisions of this Act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of Virginia and the United States District Court in the aforementioned district shall prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States District Court.

Judicial powers in violation of rules, etc.

Appeals.

Duties, powers, etc.

SEC. 6. That any and all United States commissioners now or hereafter authorized to act within the western district of Virginia and any and all persons who shall hereafter succeed to the duties, powers, and authority of United States commissioners in and for said district shall have full power, authority, and jurisdiction to act, with respect to offenses or violations of law occurring within the limits of the Shenandoah National Park, as the United States commissioner for the Shenandoah National Park may act with respect to offenses or violations of law occurring within the limits of said park.

Arrest and confinement of persons charged with crime.

SEC. 7. That such commissioner shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this Act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall cause such person to be safely conveyed to a secure place of confinement within the jurisdiction of the United States District Court for the Western District of Virginia, and certify a transcript of the record of his proceedings and the testimony in such case to court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner shall grant bail in all cases bailable under the laws of the United States or of said State.

Proviso. Bail

Processes directed to marshal.

SEC. 8. That processes issued by the commissioner shall be directed to the marshal of the United States for the western district of Virginia but nothing herein contained shall be so construed as to prevent the arrest by any officer or employee of the Government or any person employed by the United States, without process of any person taken in the act of violating the law or this Act or the regulations prescribed by the said Secretary as aforesaid.

Salary.

Provisos. Residence.

SEC. 9. That the commissioner provided for in this Act shall be paid an annual salary, as appropriated for by Congress: *Provided*, That the said commissioner shall reside within the exterior boundaries of the Shenandoah National Park or at a place reasonably adjacent to the park, the place of residence to be designated by the

Secretary of the Interior: *And provided further*, That all fees, costs, and expenses collected by the commissioner shall be disposed of as provided in section 11 of this Act.

Disposal of fees, etc.

SEC. 10. That all fees, costs, and expenses arising in cases under this Act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

Fees chargeable to United States, payment of.

SEC. 11. That all fines and costs imposed and collected shall be deposited by said commissioner of the United States, or the marshal of the United States collecting the same, with the clerk of the United States District Court for the Western District of Virginia.

Deposit of fines and costs.

Approved, August 19, 1937.

[CHAPTER 704]

AN ACT

To amend the Federal Farm Loan Act, to amend the Emergency Farm Mortgage Act of 1933, to amend the Farm Credit Act of 1933, to amend the Federal Farm Mortgage Corporation Act, to amend the Agricultural Marketing Act, and for other purposes.

August 19, 1937
[H. R. 7909]
[Public, No. 323]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Farm Credit Act of 1937".

Farm Credit Act of 1937

SEC. 2. Section 4 (b) of the Federal Farm Mortgage Corporation Act (U. S. C., 1934 edition, title 12, sec. 1020d) is amended by adding at the end thereof the following new paragraph:

Federal Farm Mortgage Corporation.
48 Stat. 346.
12 U. S. C. § 1020d.

"When in the judgment of the directors conditions justify it, the corporation shall have power to extend, in whole or in part, any unpaid obligation under the terms of any mortgage, and to accept payment of any such obligation together with interest thereon, at a rate not exceeding 5 per centum per annum, during such period and in such amounts as may be agreed upon at the date of making such extension."

Extension of unpaid obligations under terms of mortgages; acceptance of payment, interest rate.

SEC. 3. Section 31 (a) of the Emergency Farm Mortgage Act of 1933 (48 Stat. 47), as amended, is amended by striking out all prior to the first proviso and inserting in lieu thereof the following:

Joint-stock land banks.
48 Stat. 47.
12 U. S. C. § 823; Supp. II, § 823.

"(a) The Federal Farm Mortgage Corporation is authorized and directed to make available to the Land Bank Commissioner until July 1, 1938, out of the funds of the Corporation, the sum of $2,000,000, to be used for the purpose of making loans to the joint-stock land banks organized and doing business under the Federal Farm Loan Act, as amended. Loans made by the Land Bank Commissioner under this section shall be made in the name and on behalf of the Corporation and shall bear interest at a rate not to exceed 4 per centum per annum. No loan shall be made under this section to any joint-stock land bank except for the purpose of obtaining, for a period of one year from the date on which the loan is made, postponement of the foreclosure of first mortgages held by such bank on account of (1) default in the payment of interest and principal due under the terms of the mortgage, and (2) unpaid delinquent taxes, excluding interest and penalties, which may be secured by the lien of said mortgage:".

Amount available for loans to, by Land Bank Commissioner.

Interest rate.

Use of money loaned

SEC. 4. The first sentence of section 4 (b) of the Federal Farm Mortgage Corporation Act, as amended (U. S. C., 1934 edition, title 12, sec. 1020d), is amended to read as follows: "The corporation is further authorized to purchase from time to time, for cash, such consolidated farm loan bonds at such prices and upon such terms as may be approved by the board of directors of the corporation; to make loans to Federal land banks and joint stock land banks on the

Purchase of consolidated farm loan bonds; loans to Federal land banks; security.
48 Stat. 346.
12 U. S. C. § 1020d.

security of real estate mortgages, sheriff's certificates, sales contracts and real estate, upon such terms and conditions as shall be prescribed by the board of directors of the corporation: *Provided, however*, That loans outstanding to joint-stock land banks under this subsection shall not at any one time exceed in the aggregate $10,000,000; to make loans to Federal land banks on the security of consolidated farm loan bonds; and to invest its funds in mortgage loans made under section 32 of the Emergency Farm Mortgage Act of 1933, as amended."

Proviso Limitation.

Consolidated farm loan bonds as security. Investment of funds. 48 Stat. 48

SEC. 5. (a) There shall be twelve districts in the continental United States, excluding Alaska, which shall be known as farm credit districts, and may be designated by number. The boundaries of the twelve Federal land bank districts existing as of the date of enactment of this Act shall be the boundaries of the respective farm credit districts. Such boundaries may be readjusted from time to time in the discretion of the Farm Credit Administration, provided that said districts shall be apportioned with due regard to the farm credit needs of the country and no such district shall contain a fractional part of any State. The designations "Federal land bank district" and "land bank district" wherever used in the Federal Farm Loan Act, or in any Act amendatory thereof or supplementary thereto, are changed to "farm credit district" and shall hereafter be deemed to refer to the farm credit districts provided for in this section.

Farm credit districts; number, boundaries, etc.

Designations changed. 39 Stat. 372

(b) There shall be in each farm credit district a farm credit board, which shall be selected as hereinafter specified and shall be composed of seven members. Each farm credit board shall include in its title the name of the city in which the Federal land bank, Federal intermediate credit bank, production credit corporation, and regional bank for cooperatives of the district are located. Three of the members of said board shall be known as elected directors of whom one shall be chosen by national farm loan associations and borrowers through agencies, one shall be chosen by production credit associations of the district, and one shall be chosen by cooperatives which are stockholders or subscribers to the guaranty fund of the regional bank for cooperatives in the district. Three of the seven members shall be known as district directors, of whom two shall be appointed by the Governor of the Farm Credit Administration and one, who shall be known as the third district director, shall be chosen as hereafter in this section provided. The seventh member of such board shall be known as director at large and shall be appointed by the Governor of the Farm Credit Administration.

Farm credit board; selection, number.

Title to include city.

Elected directors, selection.

District directors, appointment.

(c) The directors of the Federal land bank of each district who are in office on the date of enactment of this Act shall constitute the farm credit board of the district and shall serve as members thereof for the remaining portions of the terms for which they were respectively elected or appointed as directors of the bank. Except as otherwise provided by this Act, the successor to each original member of the farm credit board shall be selected in the manner in which such member was selected as a director of the Federal land bank.

Present land bank directors to form farm credit board in each district.

Selection of successors.

(d) Each third district director shall be selected as follows: Each national farm loan association and borrower through agencies in the district shall nominate, in the manner provided herein for the nomination of candidates for elected directors, one candidate for such director, and from the three persons having the greatest number of votes as nominees the Governor of the Farm Credit Administration shall appoint such director. No third district director who is removed from office pursuant to section 17 (h) of the Federal Farm Loan Act may be nominated to succeed himself.

Third district director, selection.

Removal from office, restriction on renomination. 39 Stat. 375. 12 U. S. C. § 831h.

(e) At least two months before an election of an elected director the Farm Credit Administration shall cause notice in writing to be sent to those entitled to nominate candidates for such elected director. In the case of an election of a director by national farm loan associations and borrowers through agencies, such notice shall be sent to all national farm loan associations and borrowers through agencies in the district; in the case of an election by production credit associations, such notice shall be sent to all production credit associations in the district; and in the case of an election by cooperatives which are stockholders or subscribers to the guaranty fund of the bank for cooperatives of the district, such notice shall be sent to all cooperatives which are stockholders or subscribers to the guaranty fund at the time of sending notice. After receipt of such notice those entitled to nominate the director shall forward nominations of residents of the district to the Farm Credit Administration. The Farm Credit Administration shall, from the nominations received within thirty days after the sending of such notice, prepare a list of candidates for such elected director consisting of the ten nominees receiving the highest number of votes.

Notice and procedure of nominating elected directors

(f) At least one month before the election of an elected director the Farm Credit Administration shall mail to each person or organization entitled to elect the elected director the list of the ten candidates nominated in accordance with the preceding paragraph of this section. In the case of an election of a director by national farm loan associations and borrowers through agencies, the directors of each farm loan association shall cast the vote of such association for one of the candidates on the list. In voting under this section each such association shall be entitled to cast a number of votes equal to the number of stockholders of such association and each borrower through agencies shall be entitled to cast one vote. In voting under this section each production credit association shall be entitled to cast a number of votes equal to the number of the class B stockholders of such association. In voting under this section each cooperative which is a holder of stock in, or a subscriber to the guaranty fund of, the bank for cooperatives shall be entitled to cast one vote. The votes shall be forwarded to the Farm Credit Administration and no vote shall be counted unless received by it within thirty days after the sending of such list of candidates. In case of a tie the Farm Credit Administration shall determine the choice. The nominations from which the list of candidates is prepared, and the votes of the respective voters, as counted, shall be tabulated and preserved and shall be subject to examination by any candidate for at least one year after the result of the election is announced.

Notice and procedure for election

(g) The terms of office of all directors shall be three years. Any vacancies that may occur in the farm credit board shall be filled for the unexpired term in the manner provided herein for the original selection of such directors.

Terms of office.

(h) Members of each farm credit board shall have been, for at least two years, residents of the district for which they are appointed or elected. From and after the date of enactment of this Act, no person shall be eligible for election or appointment as a member of any district farm credit board, and no person hereafter elected or appointed as a member of any district farm credit board shall be eligible to continue to serve as such, if in either case said person is an officer or employee of any Federal land bank, Federal intermediate credit bank, production credit corporation, or bank for cooperatives. No district director, excepting any third district director selected as hereinabove specified, shall, during his continuance in office, be a director, officer, or employee of any institution, association,

Qualifications.

Limitation on engaging in business.

or partnership engaged in the business of lending money or of making or selling land mortgage loans, except an institution or association under the supervision of the Farm Credit Administration.

Disqualification for conviction of felony, etc

(i) No person shall be eligible for appointment or election as an administrative or executive official of a Federal lank [1] bank, Federal intermediate credit bank, or of any corporation or bank organized pursuant to the Farm Credit Act of 1933, or as a member of any farm credit board, or shall continue to hold office as such member, if such person has been finally adjudged guilty of a felony, or finally adjudged liable in damages in any civil proceeding for fraud, in any State or Federal court.

48 Stat. 257.

Compensation.

(j) Subject to the approval of the Farm Credit Administration members of each farm credit board shall receive such compensation as may be authorized by the board, including a reasonable allowance for necessary expenses in attending meetings of said board and directors' meetings. Such compensation shall be paid by the Federal land bank of the district, and such bank shall be reimbursed therefor by the Federal intermediate credit bank, production credit corporation and bank for cooperatives of the district in such proportion and in such manner as may be fixed by the farm credit board subject to the approval of the Farm Credit Administration. Except with the approval of the Farm Credit Administration, no member of any farm credit board shall receive compensation or allowances for any services rendered such institutions, in his capacity as director or otherwise, for more than thirty days in any one calendar year, exclusive of the period for which compensation is paid for attendance at meetings of said board and at directors' meetings.

Limitation.

Land banks; branches. 12 U. S. C. § 672.

(k) Nothing contained in this section shall be construed to abrogate or repeal the second paragraph of section 4 of the Federal Farm Loan Act, as amended, or to affect the applicability of any other Act of Congress under which agricultural credit laws of the United States may be made applicable to territories or insular possessions of the United States.

Applicability of agricultural credit laws to territories, etc.

Farm credit boards, powers.

SEC. 6. Each farm credit board provided for in this Act shall have power, subject to the approval of the Farm Credit Administration—

Employment of joint officers and employees for Federal land banks, etc.

(a) To employ joint officers and employees for the Federal land bank, Federal intermediate credit bank, production credit corporation, and regional bank for cooperatives in its district. The salaries or other compensation of all such joint officers and employees shall be fixed by the district farm credit board and shall be paid by the Federal land bank of the district. Such bank shall be reimbursed therefor by the other three institutions in the district, in such amounts and upon such conditions as the board shall determine. Officers and employees appointed by the district farm credit board shall be officers and employees of the district institutions served by them.

Acquisition and disposal of property.

(b) To authorize the acquisition and disposal of such property, real or personal, as may be necessary or convenient for the transaction of the business of the Federal land bank, the Federal intermediate credit bank, the bank for cooperatives, and the production credit corporation, located in its district, upon such terms and conditions as it shall fix, and to prorate among such institutions the cost of purchases, rentals, construction, repairs, alterations, maintenance, and operation, in such amounts and in such manner as it shall determine. Any lease, or any contract for the purchase or sale of property, or any deed or conveyance of property, or any contract for the construction, repair, or alteration of buildings, authorized by a district farm credit board under this subsection shall be

Execution of leases, contracts, etc.

[1] So in original.

executed by the officers of the institution or institutions concerned pursuant to the direction of such board. No provision of law relative to the acquisition or disposal of property, real or personal, by or for the United States, or relative to the making of contracts or leases by or for the United States, including the provisions set out in title 40 and title 41 of the United States Code, 1934 edition, and the Supplements thereto, and including provisions applicable to corporations wholly owned by the United States, shall be deemed or held applicable to any lease, purchase, sale, deed, conveyance, or contract authorized or made by a district farm credit board, Federal land bank, Federal intermediate credit bank, production credit corporation, or bank for cooperatives under this subsection.

Exceptions.

(c) No corporation under the supervision of the Farm Credit Administration, of which corporation any member of the board of directors is elected or appointed by private interests, shall be subject to the provisions of the Acts of Congress approved March 14, 1936 (49 Stat. 1161, 1162) (U. S. C., title 5, secs. 29a, 30b–30m, 31a).

Federal vacation and sick leave provisions inapplicable to boards selected by private interests.
49 Stat. 1161, 1162.
5 U. S. C., Supp. II, §§ 29a, 30b–30m, 31a.

SEC. 7. (a) The first paragraph of section 4 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 671), is repealed.

Land bank districts; provisions repealed.
39 Stat. 362.
12 U. S. C. § 671

(b) Section 4 of the Federal Farm Loan Act, as amended, is further amended by striking out paragraphs nine to seventeen thereof (U. S. C., 1934 edition, title 12, secs. 678 to 683), both inclusive, and inserting in lieu thereof the following:

Section superseded.
12 U. S. C. §§ 678–683.

"The members of the farm credit board of each farm credit district provided for in the Farm Credit Act of 1937 shall be ex officio the directors of the Federal land bank located in that district. Any compensation that may be provided by the board of directors of any Federal land bank for officers or employees shall be subject to the approval of the Farm Credit Administration."

Farm credit board members ex officio directors of land bank in district.
Approval of compensation

(c) Section 23 of the Farm Credit Act of 1935 (U. S. C., 1934 edition, Supp. II, title 12, sec. 682a) is repealed.

Persons disqualified; section repealed.
49 Stat. 320.
12 U. S. C., Supp. II, § 682a.

SEC. 8. The ninth paragraph of section 7 of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 719) is amended by adding at the end thereof the following sentence: "The boundaries of the territory designated in the charter of any national farm loan association may be readjusted from time to time to meet the farm loan needs of the locality, as determined by the Farm Credit Administration."

Readjustment of boundaries of territory.
12 U. S. C. § 719.

SEC. 9. Section 17 (h) of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 831) is amended to read as follows:

12 U. S. C. § 831h.

"(h) To suspend or to remove for cause any district director or director at large, or any registrar, appraiser, examiner, or other official appointed by the Farm Credit Administration under authority of section 3 of this Act, as amended, the cause of such suspension or removal to be communicated forthwith in writing by said Administration to the person suspended or removed, and in case of a district director or director at large to the proper Federal land bank, Federal intermediate credit bank, production credit corporation and regional bank for cooperatives."

Suspension or removal of directors, etc.

SEC. 10. Section 201 (b) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1022), is amended to read as follows:

12 U. S. C. § 1022.

"(b) One such institution shall be established in each farm credit district in the same city as the Federal land bank of the district. The members of the several farm credit boards of the farm credit districts provided for in the Farm Credit Act of 1937 shall be ex officio the directors of the several Federal intermediate credit banks herein provided for and shall have power, subject to the approval of the Farm Credit Administration, to employ and fix the com-

Federal intermediate credit banks, location.
Members of credit boards to be ex officio directors.

Personal services.

pensation of such officers and employees of such Federal intermediate credit banks as may be necessary to carry on the business authorized by this title."

Production Credit Corporations, etc.
48 Stat. 257.
12 U. S. C. §§ 1131, 1134.
Location.

SEC. 11. The second and third sentences of section 2 of the Farm Credit Act of 1933 (U. S. C., 1934 edition, title 12, sec. 1134) are amended to read as follows: "One such corporation and one such bank shall be established in each farm credit district in the city in which there is located a Federal land bank. The members of the several farm credit boards of the farm credit districts provided for in the Farm Credit Act of 1937 shall be ex officio the directors of the respective production credit corporations and banks for cooperatives."

Members of credit boards to be ex officio directors.

Land bank loans.
12 U. S. C. § 771.
Liquidation of debts incurred prior to January 1, 1937.

SEC. 12. Paragraph "Fourth" of section 12 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 771), is further amended by striking out "incurred prior to January 1, 1933" from subparagraph (d) thereof, and by inserting in lieu thereof the following: "incurred prior to January 1, 1937".

Loans by Land Bank Commissioner.
49 Stat. 313.
12 U. S. C., Supp. II, § 1016 (e).

SEC. 13. Section 32 of the Emergency Farm Mortgage Act of 1933, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1016), is further amended by striking out so much of the sixth sentence thereof as follows the colon after the word "other", and by inserting in lieu thereof the following: "Refinancing, in connection with proceedings under chapter VIII of the Bankruptcy Act of July 1, 1898, as amended, any indebtedness, secured or unsecured, of the farmer, or which is secured by a lien on all or any part of the farm property accepted as security for the loan".

Refinancing indebtedness incurred for nonagricultural purposes.

Deferment of principal payments, first three years, if not in default.

SEC. 14. The fourth sentence of section 32 of the Emergency Farm Mortgage Act of 1933, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1016), is further amended by striking out the proviso at the end thereof and by inserting in lieu thereof the following: "*Provided*, That when in the judgment of the Land Bank Commissioner conditions justify it, any mortgage made under this section may provide that during the first three years the loan is in effect payments of interest only may be required if the borrower shall not be in default with respect to any other condition or covenant of his mortgage."

Purchase, etc., of bonds.
39 Stat. 372.
12 U. S. C. § 781.

SEC. 15. (a) Paragraph "Eighth" of section 13 of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 781) is amended to read as follows:

"Eighth. To buy and sell United States bonds and Federal Farm Mortgage Corporation bonds."

Federal Farm Mortgage Corporation bonds.

Purchase at or below par.
48 Stat. 347.
12 U. S. C. § 781.

(b) Paragraph "Fifteenth" of section 13 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 781), is further amended by striking out, after the word "value" in said paragraph, the comma and the words "and to purchase Federal Farm Mortgage Corporation bonds at or below par".

12 U. S. C. § 897.
Purchase of Federal Farm Mortgage Corporation bonds.

(c) Section 22 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 897), is further amended by inserting under the heading "In the case of a joint-stock land bank" at the end thereof the following:

"(e) To purchase Federal Farm Mortgage Corporation bonds."

12 U. S. C. § 781.
Enumerated powers.

SEC. 16. Section 13 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 781), is further amended by adding at the end thereof the following paragraph:

Loans to other Federal land banks.

"Seventeenth. To make loans to other Federal land banks upon such terms and conditions as may be approved by the Farm Credit Administration."

12 U. S. C. § 781.

SEC. 17. Section 13 of the Federal Farm Loan Act as amended (U. S. C., 1934 edition, title 12, sec. 781), is further amended by adding at the end thereof the following new paragraph:

"Eighteenth. To accept conditional payments from borrowers for subsequent credit upon their indebtedness to the land bank; and to allow interest on such payments. All conditional payments so accepted shall be subject to such terms and conditions, not inconsistent with the provisions of this paragraph and with any rules or regulations prescribed for its efficient execution by the Farm Credit Administration, as may be agreed upon at the time of their acceptance. If a conditional payment is accepted for subsequent credit upon a first mortgage which is at the time or is thereafter pledged as collateral security for an issue of farm-loan bonds, all requirements, conditions, and limitations set forth in the seventh, eighth, and ninth paragraphs of section 22 of this Act, as amended, shall apply to such payment the same as though it were a present payment on the principal of the mortgage pledged as collateral security, and the land bank shall forthwith notify the farm loan registrar of its receipt of such payment and account to him therefor. Every conditional payment accepted by a land bank for subsequent credit upon indebtedness of a borrower shall be credited upon such indebtedness as the borrower may from time to time direct in accordance with the terms and conditions upon which the payment has been accepted, and at the option of the bank may in any event be credited upon such indebtedness as and when it matures if it is not otherwise paid by the borrower at or before maturity. If at any time after five years from the date on which a borrower's loan was made, the aggregate of the borrower's conditional payments accepted on account of his indebtedness under such loan and not yet credited thereon equals or exceeds his total indebtedness under the loan, all unmatured indebtedness under such loan shall become due and payable at once, and the payments so accepted shall forthwith be credited upon the borrower's indebtedness under the loan so far as may be necessary to pay it in full. Any balances of conditional payments remaining uncredited when the indebtedness on account of which they have been accepted has been paid in full shall be refunded to the borrower by the land bank."

Acceptance of conditional payments from borrowers.

Acceptance for subsequent credit.

Application to payment.

Credit allowed.

Refund of balances.

SEC. 18. The seventeenth paragraph of section 21 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 883), is further amended by adding at the end thereof the following: "The bond committee may appoint from among their number a subcommittee consisting of three members, to hold office for a period of one year or until their successors have been appointed, may from among their number fill any vacancies on the subcommittee and may dismiss at pleasure the members of the subcommittee or any of them. The subcommittee, if appointed, shall have such authority to exercise the powers and to perform the functions of the bond committee as the bond committee may authorize and shall be subject to all provisions of law relating to the duties and expenses of the bond committee. The committee shall select one of the members of the subcommittee to be chairman and one of the members of the subcommittee to be secretary of the subcommittee."

Land bank bond committee; subcommittee authorized.
12 U. S. C. § 883.

Authority, etc.

SEC. 19. Paragraph "Tenth" of section 13 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 781), is further amended by striking out in the fourth sentence thereof the following: "made prior to the expiration of five years from May 12, 1933", and adding at the end of said paragraph the following: "The unexpended balances of the funds appropriated by the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933 (48 Stat. 279), the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1060), the Second Deficiency Appropriation Act, fiscal year 1935, approved August 12, 1935 (49 Stat. 592), the First Deficiency Appropriation Act, fiscal year 1936, approved June 22,

12 U. S. C. § 781.

Unexpended balances of designated funds, repayments, etc., to constitute revolving fund; use of.
48 Stat. 279, 1060; 49 Stat. 592, 1635, 1828.

Ante, p. 138.

1936, the Treasury Department Appropriation Act, 1937, approved June 23, 1936, and the Treasury Department Appropriation Act, 1938, approved May 14, 1937, for the purpose of enabling the Secretary of the Treasury to make subscriptions to the paid-in surplus of the Federal land banks, as provided for in this paragraph, and the proceeds of all repayments on account of such paid-in surplus, shall be held in the Treasury of the United States as a revolving fund and shall be available for subscriptions to paid-in surplus made pursuant to this paragraph, as amended."

Land bank examiners; designation changed.
12 U. S. C. § 656

SEC. 20. Examiners appointed pursuant to the provisions of section 3 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 656), shall hereafter be designated and known as farm credit examiners.

National farm loan association directors, terms of office modified.

12 U. S. C. § 712.

SEC. 21. The second paragraph of section 7 of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 712) is amended by striking out the first sentence and inserting in lieu thereof the following: "The board of directors of every national farm loan association shall consist of not less than five nor more than seven members, who shall be elected by the shareholders of the association. Elections of such directors shall be held once each year at an annual meeting of the shareholders. Every national farm loan association shall at the first annual meeting of its shareholders subsequent to the enactment of the Farm Credit Act of 1937 elect two directors for a term of three years, two directors for a term of two years, and the remainder of its board of directors for a term of one year. Thereafter directors shall be chosen to serve for terms of three years, and the shareholders of each association shall annually elect as many directors as may be necessary to fill the places of those directors whose terms expire during the year. Any vacancy that may occur in the board of directors through death, resignation or other cause shall be filled at the next annual meeting of shareholders by the election of a director to serve out the unexpired portion of the term, or a special meeting of shareholders may be called for this purpose. Until such election the remaining directors shall have power to fill the vacancy for the time being by appointing a temporary director to serve until the next meeting of shareholders. All directors shall hold office until their successors are elected and have qualified."

Vacancies.

12 U. S. C. § 723 (c). Borrowers from land banks may transfer, etc., to Farm Mortgage Corporation

SEC. 22. The fourteenth paragraph of section 7 of the Federal Farm Loan Act, as amended, (12 U. S. C., 1934 edition, title 12, sec. 723 (c)) is further amended by adding at the end thereof: "Any borrower's interest in such stock may be transferred or hypothecated, by him or by operation of law, to the Federal Farm Mortgage Corporation."

12 U. S. C. § 732. Farm loan association.

SEC. 23. Effective thirty days after the date of the enactment of this Act, the second paragraph of section 8 of the Federal Farm Loan Act (U. S. C., 1934 edition, title 12, sec. 732) is amended to read as follows:

Voting in shareholders' meetings.

"Every shareholder shall be entitled to one vote, and no more, at all elections of directors and in deciding all questions at meetings of shareholders."

49 Stat. 319.
12 U. S. C., Supp. II, § 745.
Election of prospective borrower.

SEC. 24. Effective thirty days after the date of the enactment of this Act, the first sentence of the fifth paragraph of section 9 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 745), is further amended by striking out the word "two-thirds" and inserting in lieu thereof the word "majority".

12 U. S. C. §§ 741–745.

SEC. 25. (a) Section 9 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, secs. 741 to 745), is further amended by adding at the end thereof the following new paragraphs:

Common board of directors between two or more associations.

"Any other provisions of law to the contrary notwithstanding, two or more national farm loan associations may with the approval of

the Farm Credit Administration, and by an agreement not inconsistent with any rules and regulations prescribed by the said Administration, provide for a common board of directors to be elected by the shareholders of the associations that are parties to the agreement: *Provided, however*, That each member of any such board shall be a shareholder in an association that is a party to the agreement and shall be a bona fide resident of the territory within which such association is authorized to do business: *And provided further*, That no such agreement shall provide for a term of office in excess of three years for any member of such board. The number of members of the common board of directors shall be specified in the agreement and shall be five or more. The agreement may provide that any director may be elected by the shareholders of one or more of the associations which are parties to the agreement; that in the balloting for any director an association may vote at a separate meeting of its shareholders or at a joint meeting with the shareholders of any other association or associations participating in the election of the director; and that the candidate receiving the highest aggregate number of votes at such meeting or meetings shall be declared elected. Whenever two or more national farm loan associations have entered into such an agreement, the members of the common board of directors provided for in the agreement shall be ex officio the members of the board of directors of each association that is a party to the agreement, any provisions of this Act to the contrary notwithstanding.

Provisos.
Board members to be shareholders and residents of territory.

Term of office, restriction.

Number.

Balloting.

Members of common board to be ex officio directors of each association

"Whenever a national farm loan association has entered into such an agreement, the power of approving applications for loans through the association and the power of admitting persons to membership in the association shall be vested in the loan committee of the association in lieu of being vested in its board of directors. The loan committee of any such association shall be elected annually by the shareholders of the association, instead of by its board of directors, and the shareholders shall in addition annually elect two alternates to serve as members of the loan committee at such times as regular members may be absent or disqualified."

Power to approve loans, admitting persons to membership vested in loan committee.

Annual elections.

(b) Whenever it shall appear that the capital stock of a national farm loan association is impaired, the Farm Credit Administration may authorize the Federal land bank of the district in which such association is located to make loans to applicants through such association subject to the requirements and conditions specified for direct loans in paragraphs 12 to 16, both inclusive, of section 7 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 723), except as herein otherwise specifically provided, and may authorize such association to elect to membership borrowers having loans made pursuant to said paragraphs on lands situated within the chartered territory of the association. Borrowers admitted to membership in the association pursuant hereto shall be entitled to vote and hold office in the association and the rate of interest on their loans shall be one-fourth of 1 per centum per annum less than the rate of interest provided at such time for direct loans. The association shall endorse all such mortgage loans but it shall not become liable therefor except as hereinafter provided.

Loans where stock of farm loan association is impaired

12 U. S. C. § 723.

New borrowers as members; voting privileges, etc.

Endorsement of mortgage loans; liability.

When there are ten or more borrowers admitted to membership in an association pursuant hereto whose loans are in good standing, as defined by the Farm Credit Administration, and aggregate not less than $20,000:

Admission to association membership of ten or more borrowers.

First. The association shall become liable for the payment of said loans: *Provided, however*, That, any other provisions of law to the contrary notwithstanding, the shareholders who have become members pursuant to this subsection shall not be held responsible, through the amount paid in and represented by

Liability for paying loans.
Proviso.
Individual responsibility of shareholders.

their shares or otherwise, for any contracts, debts, or engagements of the association entered into before the date on which the first member was admitted to the association pursuant to this subsection and the shareholders of such association who were members prior to said date shall not be held responsible, through the amount paid in and represented by their shares or otherwise, for any mortgages endorsed by such association on or after said date, but this provision shall not be construed to relieve any other liability with respect to stock held by shareholders who were members prior to said date.

Reduction of interest rate

Second. The interest rate paid by each such borrower on each such loan shall, beginning with the next regular installment date, be reduced one-fourth of 1 per centum per annum.

Exchange of stock.

Third. The stock in the Federal land bank held by each of said borrowers shall be exchanged for association stock in the manner provided for in paragraph 15 of section 7 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 723, subsec. (d)).

12 U. S. C. § 723 (d).

Admission of new members, etc.

Fourth. The association may thereafter admit new members, endorse their loans, and become liable for the payment of such loans as provided in paragraph "First" of this subsection.

Election of loan committee from stockholders.

Fifth. At the next annual meeting of stockholders, and thereafter, the loan committee of such association may be elected by the members who become stockholders pursuant to this subsection and any loan committee so elected shall have the powers specified for loan committees elected as provided in subsection (a) of this section: *Provided, however*, That in the event such stockholders fail to elect the loan committee, new members shall be admitted to the association as otherwise provided in the Federal Farm Loan Act, as amended.

Proviso. Admission, where stockholders fail to elect loan committee.

Segregation of records, accounts, etc.

Sixth. In accordance with rules and regulations prescribed by the Farm Credit Administration, the association shall maintain separate capital-stock records; shall keep all capital losses or gains, reserves (including legal reserves), and dividends received from the Federal land bank on stock owned by the association in connection with loans for which it becomes liable as provided in this subsection separate and apart from capital losses or gains, reserves (including legal reserves), and dividends received from the Federal land bank on stock owned by the association in connection with other loans of the association; and shall segregate any undivided profits of the association resulting from its business operations in like manner when so required by rules and regulations of the Farm Credit Administration. Subject to the other provisions of the Federal Farm Loan Act with respect to the declaration of dividends, dividends may be declared exclusively on association stock owned by borrowers with loans for which the association becomes liable as provided in this subsection or exclusively on association stock owned by borrowers with other loans through the association.

Special provisions.

If the loan of any borrower who was admitted to membership pursuant hereto is not in good standing at the time when there are ten or more borrowers with loans aggregating not less than $20,000 which are in good standing, the provisions of paragraphs "First", "Second", and "Third" of this subsection shall be applicable to his loan at such time as it shall be placed in good standing.

If and when all impairment is removed in the stock owned by shareholders with loans which were made prior to the date on which the first member was admitted to the association pursuant to this sub-

section, the holders of such stock and the holders of stock issued on and after said date may, pursuant to rules and regulations of the Farm Credit Administration and consistent with the provisions of the Federal Farm Loan Act, as amended, agree as to the rights, powers, privileges, duties, and liabilities which shall thenceforth attach to their respective shares of stock and otherwise agree as to the future applicability, if any, of the special provisions contained in this subsection.

12 U. S. C. § 761.

(c) Section 11 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 761), is amended by adding a paragraph at the end thereof reading as follows:

Servicing loans; agreement between local associations.

"Fifth. Whenever a Federal land bank shall have empowered any national farm loan association of its district to collect and pay over to said bank the dues, interest, amortization installments, and other sums payable under the terms, conditions, and covenants of the mortgages taken from its shareholders, such association may, with the approval of said bank, enter into an agreement with another association operating in the same or adjacent territory to make such collections, for and on behalf of the association thus empowered to do so, on any or all of said loans, and immediately pay the amounts so collected to said land bank. Such agreements shall be made upon such terms and conditions and for such consideration as may be approved by the Farm Credit Administration."

Terms and conditions.

12 U. S. C. §§ 961–966.

(d) Section 29 of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, secs. 961–966), is further amended by adding at the end thereof the following new paragraphs:

Failure of national farm loan association to meet obligations.

"Upon receiving satisfactory evidence that any national farm loan association has failed to meet its outstanding obligations of any description, and that it will be to the best interests of its creditors and stockholders for the association to continue in business, the Farm Credit Administration may, in its discretion, in lieu of appointing a receiver as hereinabove in this section provided, appoint a conservator for such association and require of him such bond and security as the Administration may deem proper. The person so appointed shall be a land bank appraiser appointed under the authority of section 3 of this Act: *Provided, however*, That the Farm Credit Administration may, in its discretion, appoint some other qualified person. Any land bank appraiser appointed as a conservator shall serve without any additional compensation. Any other person appointed as a conservator shall receive such compensation as the Farm Credit Administration may authorize. Such compensation and all necessary and proper expenses of any such conservatorship shall be paid out of the assets of such association and shall be a lien thereon which shall be prior to any other lien..

Conservator; appointment, qualifications, etc.

Ante, p. 703.

Proviso. Appointment, other than appraiser.

Compensation.

Authority of conservator.

"The conservator, under the direction of the Farm Credit Administration, may, when directed so to do, take possession of the books, records, and assets of every description of such association, and take such action as may be necessary to conserve such assets pending final determination of the financial condition of the association and the conditions under which it may be permitted to continue in business. Such conservator shall at the earliest practicable date make such investigations as shall be necessary to enable him to prepare an accurate report on the financial condition of such association. In preparing such report he shall value the association's assets and determine its indebtedness: *Provided*, That in determining said indebtedness contingent liabilities incurred by the association under the provisions of this Act on endorsed mortgages shall be estimated and included as a debt. On the basis of said evaluation of the associa-

Investigations and report.

Proviso. Contingent liabilities to be included.

tion's assets and indebtedness, the conservator shall determine the fair book value of the outstanding stock of said association and the claims of any retired shareholders based on their previous stock ownership. Upon its completion said report shall be submitted to the Federal land bank of the district and said bank shall thereupon indicate its approval thereof or note any exceptions thereto and submit such report together with its exceptions, if any, to the Farm Credit Administration for consideration.

Submission of report to district Federal land bank.

Decision as to settlement.

"If said report is approved, in whole or in part, by the Farm Credit Administration, upon recommendation of the Federal land bank of the district said Administration shall then decide whether such association shall be permitted to pay off and retire its capital stock at its fair book value, upon full payment of the mortgage loans in connection with which such stock was issued originally, and to settle on the same basis the claims of any of its stockholders who have previously paid their loans in full, but have not received credit for, or the proceeds of their stock in such association. At the same time the Farm Credit Administration shall also decide whether it will permit said association to admit new members pursuant to section 25 (b) of the Farm Credit Act of 1937. If the decision of said Administration is in the affirmative, it may terminate the conservatorship and turn the affairs of the association back to its board of directors. If said report is not approved or the decision of said Administration is in the negative, it may, in its discretion, terminate the conservatorship and permit such association to resume the transaction of its business subject to such terms, conditions, restrictions, and limitations as it may prescribe for the protection of the rights of creditors and stockholders, or said Administration may appoint a receiver for the association as elsewhere provided in this section.

New members.

Ante, p. 711

Termination of conservatorship if in the affirmative.

Procedure, if decision in the negative.

Condition of settlement.

"Any settlement made with a retiring or retired shareholder on the basis of the fair book value of the stock of the association pursuant to this section shall be made only on condition that said shareholder agrees to accept such settlement as payment in full. If any shareholder or former shareholder does not desire to settle on such basis, he may, in lieu thereof, be given a participation certificate which will entitle him to share pro rata, on the basis of the number of shares of stock which he owned in the association, in the distribution of any assets of the association which is made after all of its indebtedness to creditors has been satisfied. The Federal land bank of the district may pay to the association from the proceeds of bank stock retired in connection with the payment in full of loans endorsed by such association an amount sufficient to permit the association to make the settlements provided for in this section and any balance of such proceeds shall be retained by the bank and applied as a credit on the indebtedness of the association to it.

Payments from retired stock.

Procedure where fair book value of stock below par.

"After any determination by the Farm Credit Administration as herein provided, that the fair book value of the stock of a national farm loan association is less than the par value thereof, periodically thereafter any increase in the fair book value of said stock resulting from earnings of the association and actual recoveries in excess of the valuations used by the Farm Credit Administration in determining the fair book value of the stock of such association, as herein provided, shall, under rules and regulations of the Farm Credit Administration, be apportioned ratably on a per-share basis to all outstanding stock or participation certificates having a fair book value less than par until the fair book value of all such stock or participation certificates is equal to the par value thereof.

"In the event that the indebtedness, as determined by the conservator, of an association which has been under conservatorship pursuant to this section increases in excess of the earnings of such association, the Farm Credit Administration may, in its discretion, again appoint a conservator for the association, or it may appoint a receiver as elsewhere provided in this section." Action where indebtedness increases in excess of earnings.

SEC. 26. Section 201 (c) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1023), is amended by adding to the end thereof the following paragraph: Federal intermediate credit banks. 42 Stat. 1454. 12 U. S. C. § 1023.

"Each Federal intermediate credit bank shall have power to acquire and dispose of such property, real or personal, as may be necessary or convenient for the transaction of its business, which, however, may be leased to others for revenue purposes." Acquisition and disposal of property.

SEC. 27. Section 203 (a) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1041), is further amended by striking out the comma after the word "banks" and the following: "when chartered and established,"; and by inserting after the comma which follows the word "cash," the following: "United States Government bonds, Federal Farm Mortgage Corporation bonds,". 42 Stat. 1456. 12 U. S. C., Supp. II, § 1041. Collateral security for debentures.

SEC. 28. Section 203 (b) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1042), is amended to read as follows: 42 Stat. 1456. 12 U. S. C. § 1042.

"(b) The provisions of title I of this Act relating to the preparation and issue of farm loan bonds shall, so far as applicable, govern the preparation and issue of debentures or other such obligations issued under the preceding section; but the Farm Credit Administration shall prescribe rules and regulations governing the receipt, custody, substitution, and release of the cash, obligations of the United States Government, and notes or other obligations securing such debentures, the right of substitution being hereby granted, and in the event such notes or other obligations are secured by warehouse receipts, shipping documents, or other similar credit instruments, may permit the substitution of trust receipts therefor in such manner and subject to such conditions as may be approved by the said Administration. Rates of interest upon debentures and other such obligations issued under the preceding section shall, subject to the approval of the Farm Credit Administration, be fixed by the Federal intermediate credit bank making the issue, not exceeding 6 per centum per annum." Debentures, etc., preparation and issue; regulations governing collateral. Interest rates.

SEC. 29. Section 204 (c) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1053), is amended to read as follows: 42 Stat. 1456. 12 U. S. C. § 1053.

"(c) Subject to the approval of the Farm Credit Administration, a Federal intermediate credit bank may buy for its own account any debentures or similar obligations issued by or for the benefit and account of such bank or other Federal intermediate credit bank or banks, and (1) hold until maturity any such debentures or similar obligations or (2) retire before maturity any such debentures or similar obligations issued by it or for its benefit and account." Purchase, for own account.

SEC. 30. Section 206 (b) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, title 12, sec. 1072) is further amended to read as follows: 42 Stat. 1457. 12 U. S. C. § 1072.

"(b) Subject only to review and approval by the Farm Credit Administration, each Federal intermediate credit bank, at the end of its fiscal year, after all its necessary expenses and costs of operation for such fiscal year have been paid or provided for, shall apply its net earnings then remaining, first, to making up any losses in Disposition of annual earnings.

Elimination of impairment; creation of reserves.

Amount as franchise tax; surplus account.

Use of franchise tax payments.

Liquidation, etc.; disposition of surplus.

excess of its reserves against unforeseen losses and assets of doubtful value; second, to the elimination of any impairment of its paid-in capital and paid-in surplus; third, to the creation and maintenance of reserves against unforeseen losses and assets of doubtful value in such amount as its board of directors may prescribe; fourth, to the payment of 25 per centum of the amount then remaining to the United States as a franchise tax; and, fifth, to the payment of the remaining net earnings into its surplus account. The amounts paid as franchise taxes to the United States by Federal intermediate credit banks shall, in the discretion of the Secretary of the Treasury, be used to supplement the gold reserve held against outstanding United States notes, or shall be applied to the reduction of the outstanding bonded indebtedness of the United States under regulations to be prescribed by the Secretary of the Treasury. Should a Federal intermediate credit bank be dissolved or go into liquidation, after the payment of all debts and other obligations as hereinbefore provided, any surplus remaining shall be paid to and become the property of the United States and shall be similarly applied."

49 Stat. 316.
12 U. S. C., Supp. II, § 1095.

SEC. 31. Section 208 (e) of the Federal Farm Loan Act, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1095), is amended to read as follows:

Reports on condition of institutions receiving loans, etc.

"(e) The executive departments, boards, commissions, and independent establishments of the Government, the Reconstruction Finance Corporation, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Reserve banks are severally authorized under such conditions as they may prescribe, upon the request of the Farm Credit Administration to make available to the Farm Credit Administration or any district bank or district corporation operating under its supervision, in confidence, all reports, records or other information they may have relating to the condition of any institution to which the Administration, such district bank, or corporation has made or contemplates making loans or for which it has discounted or contemplates discounting paper, or which it is using or contemplates using as a custodian of securities or other credit instruments, or as a depositary."

Regional agricultural credit corporations.
Powers, etc., conferred.
47 Stat. 711.
12 U. S. C. § 1148.

SEC. 32. Each regional agricultural credit corporation, created under the authority of section 201 (e) of the Emergency Relief and Construction Act of 1932 (U. S. C., 1934 edition, title 12, sec. 1148), in addition to the powers heretofore granted, shall have and, upon order or approval of the Farm Credit Administration, shall exercise the following rights, powers, and authority:

Transaction of business in any State, etc.

(a) To conduct, transact, and operate its business in any State in the continental United States, in the District of Columbia, and in Puerto Rico.

Borrowing of money; security.

(b) To borrow money (other than by way of discount) from any other regional agricultural credit corporation, the Reconstruction Finance Corporation, or any Federal intermediate credit bank, and to give security therefor.

Loans.

(c) To lend any of its available funds to any other regional agricultural credit corporation at such rates of interest and upon such terms and conditions as may be approved by the Farm Credit Administration.

Assets, sale and purchase of; liabilities.

(d) To sell to or purchase from any other regional agricultural credit corporation or any corporation formed by consolidation or merger as provided in section 33 of this Act, any part of or all the assets of any such corporation, upon such terms and conditions as may be approved by the Farm Credit Administration, including the assumption of the liabilities of any such corporation, in whole or in part.

Consolidation or merger of regional agricultural credit corporations

SEC. 33. (a) The Farm Credit Administration shall have the power and authority to order and effect the consolidation or merger of two or more regional agricultural credit corporations, on such terms and conditions as it shall direct.

Authority to grant charters, fix capital, etc.

(b) The Farm Credit Administration is authorized to grant charters to, prescribe bylaws for, and fix the capital of, regional agricultural credit corporations which may be formed by the consolidation of two or more regional agricultural credit corporations, and to approve or prescribe such amendments to the charter and bylaws of any regional agricultural credit corporation as it may from time to time deem necessary. Corporations formed by the consolidation of two or more regional agricultural credit corporations, as herein provided, shall have all the rights, powers, authority, and exemptions; shall be subject to the same supervision and control; and shall have their expenses paid in the same manner as provided by law in respect to regional agricultural credit corporations organized under section 201 (e) of the Emergency Relief and Construction Act of 1932.

Rights, powers, etc., of consolidated corporations.

47 Stat. 711.
12 U. S. C. § 1148.

SEC. 34. Nothing contained in sections 32 and 33 of this Act shall be construed as limiting the rights, powers, and authority heretofore granted to the regional agricultural credit corporations, the Farm Credit Administration, or the Governor thereof by any Acts of Congress or Executive orders.

Rights of regional corporations not curtailed.

49 Stat. 317.
12 U. S. C., Supp. II, § 1134j

SEC. 35. Section 34 of the Farm Credit Act of 1933, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1134j), is further amended to read as follows:

Central Bank for Cooperatives.
Lending powers, etc.

"SEC. 34. Subject to such terms and conditions as may be prescribed by the chairman of its board of directors, the Central Bank is authorized: (a) to make loans to cooperative associations as defined in the Agricultural Marketing Act, as amended, for any of the purposes and subject to the conditions and limitations set forth in such Act, as amended; (b) to make loans (by way of discount or otherwise) to banks for cooperatives organized under section 2 of this Act; (c) to buy from, and sell to, any such bank or any Federal intermediate credit bank any note, draft, bill of exchange, debenture, or other obligation, or any interest therein; and (d) to borrow from, and discount or rediscount paper with, any and all such banks and commercial banks."

Security transactions authorized.

Borrowing, etc., powers.

49 Stat. 316.
12 U. S. C., Supp. II, § 1134c.

SEC. 36. Section 41 of the Farm Credit Act of 1933, as amended (U. S. C., 1934 edition, Supp. II, title 12, sec. 1134c), is further amended to read as follows:

Banks for cooperatives, loans by, to cooperative associations, etc.

"SEC. 41. Subject to such terms and conditions as may be prescribed by the Farm Credit Administration, the banks for cooperatives are authorized (a) to make loans to cooperative associations as defined in the Agricultural Marketing Act, as amended, for any of the purposes and subject to the conditions and limitations set forth in such Act, as amended; (b) to make loans (by way of discount or otherwise) to any bank organized under this Act; (c) to buy from, and sell to, any such bank or any Federal intermediate credit bank any note, draft, bill of exchange, debenture, or other obligation, or any interest therein; and (d) to borrow from, and discount or rediscount paper with, any and all such banks and commercial banks."

Security transactions authorized.

Borrowing, etc, powers.

46 Stat. 13.
12 U. S. C. § 1141b.

SEC. 37. Section 4 of the Agricultural Marketing Act, as amended (U. S. C., 1934 edition, title 12, sec. 1141b), is further amended by adding at the end thereof the following new subsection:

Farm Credit Administration.
Sale of property acquired on account of loans.

"(7) may sell at public or private sale to the highest responsible bidder, upon such terms and after such public advertisement as the Farm Credit Administration may deem in the public interest, any property, real or personal, or any interest therein, acquired by the

Lease, pending sale.

United States on account of or as a result of any loans made from the revolving fund authorized by section 6 of this Act, as amended; may lease any such property, pending its sale, on such terms and for such period, not in excess of five years, as the Farm Credit Administration may deem in the public interest; and may incur and pay, from the said revolving fund, obligations and expenses for the operation, upkeep, maintenance, repair, disposition, insurance, and protection of any such property: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service on account of such property."

Proviso.
Purchases, etc.
R. S. § 3709.
41 U. S. C. § 5.

46 Stat. 14.
12 U. S. C. § 1141d.

SEC. 38. Section 6 of the Agricultural Marketing Act, as amended (U. S. C., 1934 edition, title 12, sec. 1141d), is further amended by adding at the end thereof the following: "Any and all funds derived from the sale, lease, operation, or other disposition of any property, real or personal, acquired by the United States on account of or as a result of any loan made pursuant to the provisions of this Act, shall be covered into and become a part of said revolving fund."

Revolving fund, designated funds covered into.

"Debenture" and "debentures" defined.

SEC. 39. The terms "debenture" and "debentures", when used in any Act of Congress, whenever enacted, except the Federal Farm Loan Act, relating to the purchase, sale, or use as security, of debentures issued by or for the benefit and account of any Federal intermediate credit bank or banks, shall be deemed to mean debentures issued by any such bank individually and consolidated debentures issued by such banks acting together.

Separability provision.

SEC. 40. (a) If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Right to amend, etc.

(b) The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 19, 1937.

[CHAPTER 705]

AN ACT

August 19, 1937
[H. R. 7953]
[Public, No. 324]

To provide for studies and plans for the development of reclamation projects on the Cimarron River in Cimarron County, Oklahoma; the Washita River in Oklahoma, and the North Canadian River in Oklahoma.

Reclamation projects, Oklahoma.
Surveys authorized for development of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized (a) to conduct surveys and investigations in order to determine the feasibility and economic usefulness of the development of reclamation projects embracing certain lands in the Washita River Basin in Oklahoma, and certain lands in the North Canadian River Basin in Oklahoma, and certain lands in the Cimarron River Basin, Cimarron County, Oklahoma, and (b) if such development is determined to be feasible and economically useful, to prepare cost of estimates and designs for the construction of dams at such sites and such additional or incidental facilities as are necessary to carry out such development.

Washita River Basin.
North Canadian River Basin.
Cimarron River Basin.

Dams.

Funds available.

SEC. 2. That any funds appropriated providing for surveys under the Reclamation Act may be used to carry out the provisions of this Act.

Approved, August 19, 1937.

[CHAPTER 706]

JOINT RESOLUTION

August 19, 1937
[H. J. Res. 445]
[Pub. Res., No. 65]

Granting the consent of Congress to a compact between the States of New York and New Jersey providing for the creation of the Palisades Interstate Park Commission as a joint corporate municipal instrumentality of said States with appropriate rights, powers, duties, and immunities, for the transfer to said commission of certain functions, jurisdiction, rights, powers, and duties together with the properties of the bodies politic now existing in each State known as "Commissioners of the Palisades Interstate Park", and for the continuance of the Palisades Interstate Park.

Palisades Interstate Park Commission.
Compact between New York and New Jersey for creation of.

Whereas, pursuant to chapter 170 of the Laws of 1937 of the State of New York and chapter 148 of the Laws of 1937 of the State of New Jersey, the States of New York and New Jersey entered into a compact which is as follows:

"COMPACT

"Whereas, heretofore the states of New York and New Jersey have cooperated in the establishment and maintenance of an interstate park along the front of the Palisades in said states and in the mountainous lands in Rockland and Orange counties in the state of New York, by respectively enacting legislation creating in each state a body politic by the name and style of "Commissioners of the Palisades Interstate Park", with power to acquire lands for such park, and improve and manage the same, and by respectively appointing, in practically all cases, the same persons as members of each of such state bodies politic; and

"Whereas, it is confidently believed that the creation, by interstate compact, of a joint corporate municipal instrumentality to hold and manage such interstate park will provide greater flexibility and harmony in the management of the park,

"Now, therefore, in consideration of the premises and of the mutual advantages and benefits to accrue to the peoples of the states of New York and New Jersey from this compact and in consideration of the mutual covenants of the parties hereto herein contained, the sovereign state of New York and the sovereign state of New Jersey do hereby agree as follows:

"ARTICLE I

"The park or parks in the state of New York under the jurisdiction, management or control of Commissioners of the Palisades Interstate Park, a body politic created pursuant to chapter one hundred seventy of the laws of nineteen hundred of the state of New York (hereinafter referred to as "New York state board"), and the park or parks in the state of New Jersey now under the jurisdiction, management or control of Commissioners of the Palisades Interstate Park, a body politic created pursuant to chapter eighty-seven of the laws of nineteen hundred of the state of New Jersey (hereinafter referred to as "New Jersey state board," the New York state board and the New Jersey state board being hereinafter referred to collectively as "state boards"), shall continue to exist and shall be maintained in the two states as an interstate park for the use of the public and for the purpose of preserving the scenic beauty of the Palisades and other lands therein. Such park shall be called "Palisades Interstate Park." The parties hereto do hereby agree to and pledge, each to the other, faithful co-operation

in the future planning, improvement, development, maintenance, government and management of the park, holding in high trust for the benefit of the public the special blessings and natural advantages thereof.

"ARTICLE II

"There is hereby created a body corporate and politic with the name and style of 'Palisades Interstate Park Commission' (for brevity hereinafter referred to as 'the commission') which shall be a joint corporate municipal instrumentality of both the state of New York and the state of New Jersey for the purpose of effecting the objects of this compact and which shall be deemed to be performing governmental functions of the two states in the performance of its duties hereunder. The commission shall have power to sue and be sued, to use a common seal and to make and adopt suitable by-laws. The commission shall consist of ten members, five of whom shall be citizens and residents of the state of New York and five of whom shall be citizens and residents of the state of New Jersey. For the purpose of doing business the members of the commission shall constitute a board. The present members of the two state boards shall be the first members of the commission for their respective states for the remainder of the terms for which they were respectively appointed. Each member of the commission shall be a citizen and resident of the state of which his predecessor was a citizen and each member of the commission other than the first members shall be appointed by the governor of the state of which his predecessor was a citizen, by and with the approval of the senate of such state. Each member shall take an oath of office to perform faithfully all of the duties of his office according to the best of his ability. Such oath of office may be administered by any officer of the state of which such member is a citizen who is authorized to take oaths of office of any state officer and shall be filed in the office of the secretary of state of such state. The term of office of each member other than said first members shall be five years. Each member shall hold office until his successor shall have been appointed and shall have taken his oath of office, but each term shall be deemed to commence at the end of the preceding five-year term regardless of when the incumbent is appointed or takes the oath of office. If a member shall cease to be a citizen and resident of the state for which he was appointed he shall cease to be a member of the commission. If a member of the commission shall die, resign, be removed, refuse to act, or cease to be a citizen and resident of the state for which he was appointed, the vacancy so created shall be filled, for the unexpired term only, by the appointment of a citizen and resident of the state of which such member was a citizen by the governor thereof, by and with the approval of the senate of such state. Each member of the commission may be removed from office for neglect of duty or misconduct in office by the governor of the state of which such member is a citizen after giving such member a copy of the charges against him and an opportunity of being publicly heard in person or by counsel or both in his own defense, upon not less than ten days' notice. No member of the commission shall receive any compensation for his services as a member, but each member shall be entitled to receive his actual disbursements for his expenses in performing the duties of his office. The commission shall annually choose a president, a vice-president, a treasurer and a secretary from among its members and may also appoint such other officers as it may deem necessary or appropriate to carry out the purposes of this compact.

"ARTICLE III

"There are hereby transferred to the commission all of the functions, jurisdiction, rights, powers and duties of the respective state boards, as now prescribed by the laws of the respective states, and the same shall hereafter be exercised and performed by the commission, subject to such modifications thereof as are contained in this compact. Either the state of New York or the state of New Jersey may by law applicable to parks or park commissions generally within such state, or by law specifically applicable to the commission or to any of the parks within such state under its jurisdiction, and without the concurrence of the other state, withdraw, modify, alter or amend any of the functions, jurisdiction, rights, powers and duties transferred to the commission by this article or confer additional functions, jurisdiction, rights, powers and duties on the commission, but such action by one state shall be effective only within the territorial limits of such state. The commission shall also have such additional functions, jurisdiction, rights, powers and duties as may be conferred upon it by both states.

"ARTICLE IV

"1. All legal and equitable title to or in any property, tangible or intangible and whether real, personal or mixed, used or held as a part of, in connection with, or for the purposes of the park or parks now under the jurisdiction, management or control of the respective state boards, or connected with the maintenance or control thereof, in so far as the same shall have heretofore been vested in either of such state boards, is hereby transferred to and vested in the commission, subject to such liens, easements, permits, life rights and other contracts relating thereto or in respect thereof as may now lawfully exist. All such legal and equitable title shall, upon the taking effect of this compact, forthwith and thereafter reside in the commission without further act or deed or transfer.

"2. The commission shall succeed and shall be and hereby is substituted for each of the state boards in so far as either of them has any obligation or liability to any person, firm or corporation, has undertaken or commenced any proceeding or other business, is a party to any action, suit or proceeding (the substitution of the commission for either of the state boards in any action, suit or proceeding to be deemed to be by operation hereof without motion or order) or has issued or promulgated any orders, rules or regulations, and also in so far as, consistent with the other provisions and the purposes of this compact, the commission should be regarded as succeeding and as substituted for either of the state boards in any other respect in order that the purposes of this compact may be accomplished. The balance of all appropriations heretofore made by either state and remaining to the credit of either of the state boards, to which either state board is entitled, or in the future would become entitled if its existence continued, shall be deemed to be appropriations to the commission herein created, and the commission shall, upon the taking effect of this compact, succeed to all the rights to any such appropriations theretofore made with the same force and effect as if the commission had originally been specifically named in the respective appropriation acts instead of the respective state boards for which such appropriations were made.

"3. All lands the title to which is hereby transferred to or shall hereafter be owned by the commission shall be and continue under the jurisdiction of the commission and shall be used only for public

park purposes and none of said lands or any part thereof shall be sold, exchanged or conveyed except with the consent of both states by specific enactments; *provided, however*, that the commission shall have power to grant easements, licenses, permits and other rights over any lands held by it in either state when in the opinion of the commission the same will not interfere with the use and enjoyment of the park by the public.

"4. Each state may by legislation make rules and regulations for the use and government, including regulation of traffic, of such portions of the park as lie within the boundaries of the state, and such parts of any state, county or other public highways as lie within the limits of such portions of the park, and all lands, parks and parkways in the state under the jurisdiction of the commission, prescribe the penalty or penalties for violation of any such rules or regulations, prescribe the procedure for enforcement of any such penalty or penalties and provide the court or courts in which any such enforcement is to be sought.

"ARTICLE V

"1. All money, securities and other property, real and personal, heretofore received by either of the state boards or hereafter received by the commission by way of gift, bequest or devise, may be retained by the commission and, except in so far as the purpose or manner of using the same is otherwise specifically designated or restricted by the terms of any such gift, bequest or devise, may be used in the commission's discretion in either state for any park purpose; and the commission may likewise retain and use all revenue and income arising solely from such money, securities and other property so received by way of gift, bequest or devise or from facilities or operations financed solely by funds so received. In the case of revenue and income arising partly from specific property received by way of gift, bequest or devise or from specific facilities or operations financed partly by funds so received, the commission may likewise retain and use such proportion of such revenue and income as the amount of gifts, bequests or devises, or the proceeds thereof, invested in each such property, facility or operation, bears to the total amount invested therein. The legislature of either state may from time to time by law specifically made applicable to the commission prescribe other terms and conditions upon which or purposes for which any gifts, bequests, or devises thereafter made of money, securities, or other property may be accepted for use in such state or used in such state or prescribe a different manner of administering gifts, bequests or devises thereafter made in such state and the disposition of all revenues or income arising therefrom.

"2. Either state may from time to time by law require the commission to render to any designated official or official body of such state such reports and such estimates of revenues and expenditures as may be specified in such law.

"ARTICLE VI

"The commission shall not pledge the credit of either state except by and with the authority of the legislature thereof.

"ARTICLE VII

"Neither the state of New York nor the state of New Jersey shall be liable for any torts of the commission, its members, officers or employees, except as provided by the laws of such state, but each member, officer and employee of the commission shall, with respect to

any tort committed by him in the exercise of his duties or in the course of his employment as such member, officer or employee, be deemed to be an officer or employee of the state where such tort was committed, and any liability arising from such tort shall be governed by the laws of such state.

"ARTICLE VIII

"This compact may be amended from time to time by the concurrent action of the two states who are parties hereto.

"In witness whereof, the sovereign states of New York and New Jersey, respectively, have caused this compact to be signed and sealed in triplicate by their respective commissioners thereunto duly authorized this 28th day of June, nineteen hundred thirty seven.

"For the State of New York:

"J. Du Pratt White (L. S.)
"W. Averell Harriman (L. S.)
"Geo. W. Perkins (L. S.)
"Frederick Osborn (L. S.)
"Alfred E. Smith (L. S.)
"John J. Bennett, Jr. (L. S.)
"Attorney General of the State of New York

"As commissioners authorized by Chapter 170 of the Laws of 1937 of the State of New York

"Approved:

"Herbert H. Lehman
"Governor of the State of New York

"In the Presence of:
"Frederick C. Sutro

"For the State of New Jersey:

"Charles W. Baker (L. S.)
"William Childs (L. S.)
"Edmund W. Wakelee (L. S.)
"Abram De Ronde (L. S.)
"Victor H. Berman (L. S.)
"David T. Wilentz (L. S.)
"Attorney General of the State of New Jersey

"As commissioners authorized by Chapter 148 of the Laws of 1937 of the State of New Jersey

"Approved:

"Harold G. Hoffman
"Governor of the State of New Jersey

"In the Presence of:
"Frederick C. Sutro"

Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to said compact, and to each and every part and article thereof: *Provided*, That nothing therein contained shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of said compact. Consent given. *Proviso.* Federal rights not impaired.

SEC. 2. The right to alter, amend, or repeal this resolution is hereby expressly reserved. Amendment.

Approved, August 19, 1937.

[CHAPTER 716]

August 20, 1937
[S. 1282]
[Public, No. 325]

AN ACT

To amend Articles of War 50½ and 70.

Articles of War.
41 Stat. 797–799.
10 U. S. C. § 1522.
Court martial.
Review provisions modified.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third and fifth paragraphs of Article of War 50½ (41 Stat. 797–799) be amended by adding to each of said paragraphs the following: "*Provided*, That the functions prescribed in this paragraph to be performed by the President may be performed by the Secretary of War or Acting Secretary of War."

Consideration of charges.
41 Stat. 802.
10 U. S. C. § 1542.

SEC. 2. That Article of War 70 (41 Stat. 802) is hereby amended by inserting in the first line of the second paragraph after the word "referred" the words "to a general court martial", so that the first sentence of said paragraph will read as follows: "No charge will be referred to a general court martial for trial until after a thorough and impartial investigation thereof shall have been made".

Investigation before trial.

Approved, August 20, 1937.

[CHAPTER 717]

August 20, 1937
[S. 2401]
[Public, No. 326]

AN ACT

For the relief of sergeant-instructors, National Guard, and for other purposes.

National Guard.
Certain payments validated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That payments heretofore made on account of rental of quarters for enlisted men of the Army on duty with the National Guard and authorized by law to be furnished with quarters at Government expense, and payments heretofore made to said enlisted men of monetary allowances in lieu of rations which now stand disallowed, or would hereafter be disallowed but for this Act, on the ground of their relation to or connection with the aforesaid rental payments or transactions, are hereby ratified and validated as to the disbursing officers making the same, and the Comptroller General of the United States is hereby directed to allow credit in the accounts of said disbursing officers for and on account of all such payments: *Provided*, That such payments on account of rental of quarters for each enlisted man were not in excess of $35 per month, the maximum rate authorized by law to be paid for rental of such quarters.

Credits in accounts directed.

Proviso.
Limitation on rentals.

Ratification of payments.

SEC. 2. Payments described in the first section hereof shall be, and the same are hereby, ratified and validated as to the military personnel concerned, in such amounts as are approved by the Secretary of War, whose determinations shall be final and conclusive: *Provided*, That nothing herein shall be construed to prevent the collection from military personnel concerned of any amount determined by the Secretary of War to be due to the United States.

Proviso.
Collection of amounts due.

Refund of sums collected.

SEC. 3. Any amounts collected from any person to reimburse the United States on account of payments which are herein validated shall be refunded to said person upon presentation of a claim, approved by the Secretary of War, to the Comptroller General who is authorized and directed to certify the same to the Congress for an appropriation to pay therefor.

Approved, August 20, 1937.

[CHAPTER 718]

AN ACT

To provide a surcharge on certain air mail carried in Alaska.

August 20, 1937
[H. R. 6167]
[Public, No 327]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of February 21, 1925, as amended by the Act approved August 24, 1935 (U. S. C., 1934 edition, Supp. II, title 39, sec. 488), be, and it is hereby, amended to read as follows:

Alaska, air mail
49 Stat. 744.
39 U S C., Supp II, § 488

"The Postmaster General may provide difficult or emergency mail service in Alaska, at a total annual cost of not exceeding $25,000, including the establishment and equipment of relay stations, in such manner as he may think advisable, without advertising therefor; and he is authorized, in his discretion, to contract, after advertisement in accordance with law, for the carriage of all classes of mail to, from, or within the Territory of Alaska, by airplane, payment therefor to be made from the appropriation for star-route service in Alaska: *Provided*, That the Postmaster General, in his discretion, may fix the postage for the mails carried, or any part thereof, by aircraft to, from, or within Alaska, at rates not exceeding in any case 30 cents per ounce or 15 cents per half ounce, notwithstanding the domestic air-mail rate authorized by the Act of June 12, 1934 (39 U. S. C., 463, 1934 edition)."

Emergency service.

Relay stations

Contract for carriage of mail by airplane authorized.

Proviso.
Rates of postage.

48 Stat. 933.
39 U S. C. § 463

Approved, August 20, 1937.

[CHAPTER 719]

AN ACT

To amend the Act known as the "Perishable Agricultural Commodities Act, 1930", approved June 10, 1930, as amended.

August 20, 1937
[H R. 6762]
[Public, No. 328]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 6 of section 1 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Perishable Agricultural Commodities Act of 1930, amendments.
46 Stat. 531.
7 U. S. C. § 499a (6).
"Dealer" defined.

"(6) The term 'dealer' means any person engaged in the business of buying or selling in carloads any perishable agricultural commodity in interstate or foreign commerce, except that (A) no producer shall be considered as a 'dealer' in respect of sales of any such commodity of his own raising; (B) no person buying any such commodity solely for sale at retail shall be considered as a 'dealer' in respect of any such commodity in any calendar year until his purchases of such commodity in carloads in such year are in excess of twenty; and (C) no person buying any such commodity for canning and/or processing within the State where grown shall be considered a 'dealer' whether or not the canned or processed product is to be shipped in interstate or foreign commerce, unless such product is frozen or packed in ice within the meaning of paragraph 4 of this section. Any person not considered as a 'dealer' under clauses (A), (B), and (C) may elect to secure a license under the provisions of section 3, and in such case and while the license is in effect such person shall be considered as a 'dealer'. As used in this paragraph, the term 'in carloads' includes wholesale or jobbing quantities as defined for any such commodity by the Secretary;".

"In carloads."

SEC. 2. That subsection 5 of section 2 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

46 Stat. 533.
7 U. S. C. § 499b (5).

"(5) For any commission merchant, dealer, or broker, for a fraudulent purpose, to misrepresent by word, act, mark, stencil, label,

Unfair conduct.
Misrepresentation.

statement, or deed the character, kind, grade, quality, condition, degree of maturity, or State or country of origin of any perishable agricultural commodity received, shipped, sold, or offered to be sold in interstate or foreign commerce."

46 Stat. 533. 7 U. S. C. § 499b (6).

SEC. 3. That subsection 6 of section 2 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Removal of evidence of grade placed on containers, etc.

"(6) For any commission merchant, dealer, or broker, for a fraudulent purpose, to remove, alter, or tamper with any card, stencil, stamp, tag, or other notice placed upon any container or railroad car containing any perishable agricultural commodity, if such card, stencil, stamp, tag, or other notice contains a certificate or statement under authority of any Federal or State inspector or in compliance with any Federal or State law or regulation as to the grade or quality of the commodity contained in such container or railroad car or the State or country in which such commodity was produced."

New subsection.

SEC. 4. That section 2 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended by adding a new subsection numbered 7 and reading as follows:

Substitution or otherwise changing contents after official inspection.

"(7) For any commission merchant, dealer, or broker, without the consent of an inspector, to make, cause, or permit to be made any change by way of substitution or otherwise in the contents of a load or lot of any perishable agricultural commodity after it has been officially inspected for grading and certification, but this shall not prohibit re-sorting and discarding inferior produce."

46 Stat. 533. 7 U. S. C. § 499c.

SEC. 5. That section 3 (a) of the Perishable Agricultural Commodities Act, 1930, as amended, is amended by adding thereto the following:

Licenses; settlement of liability for violations.

"Any person violating this provision may, upon a showing satisfactory to the Secretary of Agriculture, or his authorized representative, that such violation was not willful but was due to inadvertence, be permitted by the Secretary, or such representative, to settle his liability in the matter by the payment of the fees due for the period covered by such violation and an additional sum, not in excess of $25, to be fixed by the Secretary of Agriculture or his authorized representative. Such payment shall be deposited in the Treasury of the United States in the same manner as regular license fees."

46 Stat. 533. 7 U. S. C. § 499d.

SEC. 6. That section 4 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Issue and force of license.

"(a) Whenever an applicant has paid the prescribed fee the Secretary, except as provided elsewhere in this Act, shall issue to such applicant a license, which shall entitle the licensee to do business as a commission merchant and/or dealer and/or broker unless and until it is suspended or revoked by the Secretary in accordance with the provisions of this Act, or is automatically suspended under section 7 (d) of this Act, but said license shall automatically terminate on any anniversary date thereof unless the annual fee has been paid: *Provided*, That notice of the necessity of paying the annual fee shall be mailed at least thirty days before the anniversary date: *Provided further*, That if the annual fee is not paid by the anniversary date the licensee may obtain a renewal of that license at any time within thirty days by paying a fee of $15;

Annual fee, payment of.

Provisos. Mailing of notice.

Renewal, if in arrears.

Causes for license refusal. Previous violation. 49 Stat. 1533. 7 U. S. C., Supp. II, § 499d (b).

"(b) The Secretary shall refuse to issue a license to an applicant (1) if he finds that the applicant has previously been responsible in whole or in part for any violation of the provisions of the Act for which a license of the applicant, or the license of any partnership, association, or corporation in which the applicant held any office or,

in the case of a partnership, had any share or interest, was revoked under the provisions of section 8; or (2) if at any time within two years he has found after notice and hearing that said applicant was responsible in whole or in part for any flagrant or repeated violation of the provisions of section 2; or (3) if he finds, in case the applicant is a partnership, association, or corporation, that any individual holding office or, in the case of a partnership, having any interest or share in the applicant, has previously been responsible in whole or in part for any violation of the provisions of the Act for which the license of such individual, or of any partnership, association, or corporation in which such person held any office, or, in the case of a partnership, had any share or interest, was revoked under the provisions of section 8; or (4) if at any time within two years he has found after notice and hearing, in case the applicant is a partnership, association, or corporation, that any individual holding any office or, in the case of a partnership, having any interest or share in the applicant was responsible in whole or in part for any flagrant or repeated violation of the provisions of section 2; or (5) if he finds that the applicant, subject to his right of appeal under section 7 (c), has failed, except in case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued, within two years, against him as an individual, or against a partnership of which he was a member, or an association or corporation in which he held any office, or, in case the applicant is a partnership, association, or corporation, that any individual holding any office or, in the case of a partnership, having any interest or share in the applicant, subject to his right of appeal under section 7 (c), has failed, except in the case of bankruptcy, to pay within the time limit provided therein any reparation order which has been issued, within two years, against him as an individual or against a partnership of which he was a member, or an association or corporation in which he held any office. Notwithstanding all of the foregoing provisions of this paragraph, the Secretary, in the case of such applicant, may issue a license if the applicant furnishes a bond or other satisfactory assurance that his business will be conducted in accordance with the provisions of the Act and that he will pay all reparation orders which may previously have been issued against him for violations, or which may be issued against him within two years following the date of the license, subject to his right of appeal under section 7 (c), but such license shall not be issued before the expiration of one year from the date of revocation of license or from the date of the Secretary's finding that the applicant has been responsible, in whole or in part, for any flagrant or repeated violation of section 2. Such bond shall be in an amount sufficient in the judgment of the Secretary of Agriculture to insure payment of such reparation orders;

Repeated, etc., violations.

Partnerships, etc. Member, etc., having previously had license revoked.

Member, etc, responsible for repeated violations.

Failure to pay reparation order.

Bankruptcy excepted.

Waiver of revocation and issue of license; bond.

Time limitation.

"(c) The Secretary shall refuse to issue a license to an applicant if he finds after notice and hearing that at any time within two years said applicant has been found guilty in a Federal court of having violated the provisions of the Act known as the Produce Agency Act (7 U. S. C., secs. 491–497), or of having violated section 14 (b) of this Act, or, in case the applicant is a partnership, that any member of the partnership was found guilty within two years of having violated the Produce Agency Act, or section 14 (b) of this Act, or, if the applicant is an association or corporation, that any officer or any person holding a responsible position therein has been found within two years to have been guilty of violating the Produce Agency Act or section 14 (b) of this Act;

Refusal, if applicant found guilty of Produce Agency Act, etc., violations.
7 U. S. C. §§ 491–497.

"(d) The Secretary may withhold the issuance of a license to an applicant, for a period not to exceed thirty days pending an investi-

Withholding of license pending investigation.

gation, for the purpose of determining (a) whether the applicant is unfit to engage in the business of a commission merchant, dealer, or broker by reason of having prior to the date of the application engaged in any practice of the character prohibited by this Act, or (b) whether the application contains any materially false or misleading statement or involves any misrepresentation, concealment, or withholding of facts respecting any violation of the Act by any officer, agent, or employee of the applicant. If after investigation the Secretary believes that the applicant should be refused a license, the applicant shall be given an opportunity for hearing within sixty days from the date of the application to show cause why the license should not be refused. If after the hearing the Secretary finds that the applicant is unfit to engage in the business of a commission merchant, dealer, or broker by reason of having prior to the date of the application engaged in any practice of the character prohibited by this Act, or because the application contains a materially false or misleading statement made by the applicant or by its representative on its behalf, or involves a misrepresentation, concealment, or withholding of facts respecting any violation of the Act by any officer, agent, or employee, the Secretary shall refuse to issue a license to the applicant."

Hearing.

Refusal, if found unfit, etc.

46 Stat. 534.
7 U. S. C. § 499e

SEC. 7. That paragraph (a) of section 5 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Liability to person damaged.

"(a) If any commission merchant, dealer, or broker violates any provision of section 2 he shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of such violation."

46 Stat 534.
7 U. S. C. § 499f.

SEC. 8. That paragraph (b) of section 6 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Complaint and investigation.

"(b) Any officer or agency of any State or Territory having jurisdiction over commission merchants, dealers, or brokers in such State or Territory and any employee of the United States Department of Agriculture or any interested person may file, in accordance with rules and regulations of the Secretary, a complaint of any violation of any provision of this Act by any commission merchant, dealer, or broker and may request an investigation of such complaint by the Secretary."

46 Stat. 534.
7 U. S. C. 499f (e).

SEC. 9. That paragraph (e) of section 6 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Complaints by nonresidents.

Bond in double amount of claim, etc.

"(e) In case a complaint is made by a nonresident of the United States, the complainant shall be required, before any formal action is taken on his complaint, to furnish a bond in double the amount of the claim conditioned upon the payment of costs, including a reasonable attorney's fee for the respondent if the respondent shall prevail, and any reparation award that may be issued by the Secretary of Agriculture against the complainant on any counter claim by respondent: *Provided*, That the Secretary shall have authority to waive the furnishing of a bond by a complainant who is a resident of a country which permits the filing of a complaint by a resident of the United States without the furnishing of a bond."

Proviso.
Reciprocal waiver provision.

46 Stat. 534.
7 U. S. C. § 499g.

SEC. 10. That section 7 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Reparation order.
Decision where hearing not required, or defendant fails to answer.

"(a) If after a hearing on a complaint made by any person under section 6, or without hearing as provided in section 6, paragraphs (c) and (d), or upon failure of the party complained against to answer a complaint duly served within the time prescribed, or to appear at a hearing after being duly notified, the Secretary deter-

mines that the commission merchant, dealer, or broker has violated any provision of section 2, he shall, unless the offender has already made reparation to the person complaining, determine the amount of damage, if any, to which such person is entitled as a result of such violation and shall make an order directing the offender to pay to such person complaining such amount on or before the date fixed in the order;

Suit by complainant to enforce payment.

"(b) If any commission merchant, dealer, or broker does not pay the reparation award within the time specified in the Secretary's order, the complainant, or any person for whose benefit such order was made, may within three years of the date of the order file in the district court of the United States for the district in which he resides or in which is located the principal place of business of the commission merchant, dealer, or broker, or in any State court having general jurisdiction of the parties, a petition setting forth briefly the causes for which he claims damages and the order of the Secretary in the premises. The orders, writs, and processes of the district courts may in these cases run, be served, and be returnable anywhere in the United States. Such suit in the district court shall proceed in all respects like other civil suits for damages, except that the findings and orders of the Secretary shall be prima-facie evidence of the facts therein stated, and the petitioner shall not be liable for costs in the district court, nor for costs at any subsequent state of the proceedings, unless they accrue upon his appeal. If the petitioner finally prevails, he shall be allowed a reasonable attorney's fee, to be taxed and collected as a part of the costs of the suit;

Venue of action.

Jurisdiction.

Findings of Secretary as prima-facie evidence of facts.

Attorney's fee.

Appeal; proceedings.

"(c) Either party adversely affected by the entry of a reparation order by the Secretary may, within thirty days from and after the date of such order, appeal therefrom to the district court of the United States for the district in which said hearing was held. Such appeal shall be perfected by the filing of a notice thereof together with a petition in duplicate which shall recite prior proceedings before the Secretary, and shall state the grounds upon which petitioner relies to defeat the right of the adverse party to recover the damages claimed, with the clerk of said court with proof of service thereof upon the adverse party, together with a bond in double the amount of the reparation award conditioned upon the payment of the judgment entered by the court plus interest and costs, including a reasonable attorney's fee for the appellee, if the appellee shall prevail. The clerk of court shall immediately forward a copy thereof to the Secretary of Agriculture, who shall forthwith prepare, certify, and file in said court a true copy of the Secretary's decision, findings of fact, conclusions, and order in said case, together with copies of the pleadings upon which the case was heard and submitted to the Secretary. Such suit in the district court shall be a trial de novo and shall proceed in all respects like other civil suits for damages, except that the findings of fact and order or orders of the Secretary shall be prima-facie evidence of the facts therein stated. Appellee shall not be liable for costs in said court if appellee prevails he shall be allowed a reasonable attorney's fee to be taxed and collected as a part of his costs. Such petition and pleadings certified by the Secretary upon which decision was made by him shall upon filing in the district court constitute the pleadings upon which said trial de novo shall proceed subject to any amendment allowed in that court;

Filing of petition, bond, etc.

Copy to Secretary of Agriculture.

Suit in district court to be a trial de novo.

Pleadings.

"(d) Unless the licensee against whom a reparation order has been issued shows to the satisfaction of the Secretary within five days from the expiration of the period allowed for compliance with such order that he has either taken an appeal as herein authorized or has made payment in full as required by such order his license shall be suspended automatically at the expiration of such five-day period until

Suspension of license for failure to obey reparation order or to appeal.

he shows to the satisfaction of the Secretary that he has paid the amount therein specified with interest thereon to date of payment: *Provided*, That if on the appeal the appellee prevails or if the appeal is dismissed the automatic suspension of license shall become effective at the expiration of ten days from the date of the judgment on the appeal unless prior thereto the judgment of the court has been satisfied."

Proviso. Effective if appeal dismissed, etc.

46 Stat. 535. 7 U. S. C. § 499h.

SEC. 11. That section 8 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Suspension or revocation, grounds for.

"(a) Whenever (a) the Secretary determines, as provided in section 6, that any commission merchant, dealer, or broker has violated any of the provisions of section 2, or (b) any commission merchant, dealer, or broker has been found guilty in a Federal court of having violated section 14 (b) of this Act, the Secretary may publish the facts and circumstances of such violation and/or, by order, suspend the license of such offender for a period not to exceed ninety days, except that, if the violation is flagrant or repeated, the Secretary may, by order, revoke the license of the offender;

Licensee employing unlicensed employee, restriction.

"(b) The Secretary may, after thirty days' notice and an opportunity for a hearing, revoke the license of any commission merchant, dealer, or broker who, after the date given in such notice, continues to employ in any responsible position any individual whose license was revoked or who was responsibly connected with any firm, partnership, association, or corporation whose license has been revoked. Employment of such individual by a licensee in any responsible position after one year following the revocation of any such license shall be conditioned upon the filing by the employing licensee of a bond, in such reasonable sum as may be fixed by the Secretary, or other assurance satisfactory to the Secretary that its business will be conducted in accordance with the provisions of this Act;

License obtained through misrepresentation.

"(c) If, after a license shall have been issued to an applicant, the Secretary believes that the license was obtained through a false or misleading statement in the application therefor or through a misrepresentation, concealment, or withholding of facts respecting any violation of the Act by any officer, agent, or employee, he may, after thirty days' notice and an opportunity for a hearing, revoke said license, whereupon no license shall be issued to said applicant or any applicant in which the person responsible for such false or misleading statement or misrepresentation, concealment, or withholding of facts is financially interested, except under the conditions set forth in paragraph (b) of section 4.

Injunction proceedings.

"(d) In addition to being subject to the penalties provided by section 3 (a) of this Act, any commission merchant, dealer, or broker who engages in or operates such business without a valid and effective license from the Secretary shall be liable to be proceeded against in any court of competent jurisdiction in a suit by the United States for an injunction to restrain such defendant from further continuing so to engage in or operate such business, and, if the court shall find that the defendant is continuing to engage in such business without a valid and effective license, the court shall issue an injunction to restrain such defendant from continuing to engage in or to operate such business without such license."

46 Stat. 537. 7 U. S. C. § 499n.

SEC. 12. That section 14 of the Perishable Agricultural Commodities Act, 1930, as amended, is hereby amended to read as follows:

Inspections; employment of inspectors, etc.

"(a) The Secretary is hereby authorized, independently and in cooperation with other branches of the Government, State, or municipal agencies and/or any person, whether operating in one or more jurisdictions, to employ and/or license inspectors to inspect and certify, without regard to the filing of a complaint under this Act,

to any interested person the class, quality, and/or condition of any lot of any perishable agricultural commodity when offered for interstate or foreign shipment or when received at places where the Secretary shall find it practicable to provide such service, under such rules and regulations as he may prescribe, including the payment of such fees and expenses as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That fees for inspections made by a licensed inspector, less the percentage thereof which he is allowed by the terms of his contract of employment with the Secretary as compensation for his services, shall be deposited into the Treasury of the United States as miscellaneous receipts; and fees for inspections made by an inspector acting under a cooperative agreement with a State, municipality, or other person shall be disposed of in accordance with the terms of such agreement: *Provided further*, That expenses for travel and subsistence incurred by inspectors shall be paid by the applicant for inspection to the United States Department of Agriculture to be credited to the appropriation for carrying out the purposes of this Act: *And provided further*, That official inspection certificates for fresh fruits and vegetables issued by the Secretary of Agriculture pursuant to any law shall be received by all officers and all courts of the United States, in all proceedings under this Act, and in all transactions upon contract markets under Commodities Exchange Act (7 U. S. C., Supp. 2, secs. 1 to 17 (a)), as prima-facie evidence of the truth of the statements therein contained;

Fees and expenses for services.

Provisos.
Disposition of, collected by licensed inspector.

By other inspectors.

Travel and subsistence, inspectors; payment by applicant.

Official inspection certificates, effect of.

49 Stat. 1491.
7 U. S. C., Supp. II, §§ 1-17a.

"(b) Whoever shall falsely make, issue, alter, forge, or counterfeit, or cause or procure to be falsely made, issued, altered, forged, or counterfeited, or willingly aid, cause, procure or assist in, or be a party to the false making, issuing, altering, forging, or counterfeiting of any certificate of inspection issued under authority of this Act, the Produce Agency Act of March 3, 1927 (7 U. S. C., sec. 491–497), or any Act making appropriations for the Department of Agriculture; or shall utter or publish as true or cause to be uttered or published as true any such false, forged, altered, or counterfeited certificate, for a fraudulent purpose, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than $500 or by imprisonment for a period of not more than one year, or both, at the discretion of the court.

Forging or counterfeiting of certificates.

44 Stat. 1355
7 U. S. C. §§ 491-497.

Punishment.

Approved, August 20, 1937.

[CHAPTER 720]

AN ACT

To authorize the completion, maintenance, and operation of Bonneville project for navigation, and for other purposes.

August 20, 1937
[H. R. 7642]
[Public, No. 329]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of improving navigation on the Columbia River, and for other purposes incidental thereto, the dam, locks, power plant, and appurtenant works now under construction at Bonneville, Oregon and North Bonneville, Washington (hereinafter called Bonneville project), shall be completed, maintained, and operated under the direction of the Secretary of War and the supervision of the Chief of Engineers, subject to the provisions of this Act relating to the powers and duties of the Bonneville power administrator provided for in section 2 (a) (hereinafter called the administrator) respecting the transmission and sale of electric energy generated at said project. The Secretary of War shall provide, construct, operate, maintain, and improve at Bonneville project such machinery, equipment, and

Bonneville project.
General purposes declared

Completion, maintenance and operation under Secretary of War.

facilities for the generation of electric energy as the administrator may deem necessary to develop such electric energy as rapidly as markets may be found therefor. The electric energy thus generated and not required for the operation of the dam and locks at such project and the navigation facilities employed in connection therewith shall be delivered to the administrator, for disposition as provided in this Act.

Disposal of electric energy.

SEC. 2. (a) The electric energy generated in the operation of the said Bonneville project shall be disposed of by the said administrator as hereinafter provided.

Administrator; appointment, salary, office

The administrator shall be appointed by the Secretary of the Interior; shall be responsible to said Secretary of the Interior; shall receive a salary at the rate of $10,000 per year; and shall maintain his principal office at a place selected by him in the vicinity of the Bonneville project.

Sale, etc., of surplus energy.

The administrator shall, as hereinafter provided, make all arrangements for the sale and disposition of electric energy generated at Bonneville project not required for the operation of the dam and locks at such project and the navigation facilities employed in connection therewith.

Consultation with an advisory board.

He shall act in consultation with an advisory board composed of a representative designated by the Secretary of War, a representative designated by the Secretary of the Interior, a representative designated by the Federal Power Commission, and a representative designated by the Secretary of Agriculture.

Form of administration provisional.

The form of administration herein established for the Bonneville project is intended to be provisional pending the establishment of a permanent administration for Bonneville and other projects in the Columbia River Basin.

Additional facilities authorized.

The Secretary of War shall install and maintain additional machinery, equipment, and facilities for the generation of electric energy at the Bonneville project when in the judgment of the administrator such additional generating facilities are desirable to meet actual or potential market requirements for such electric energy. The Secretary of War shall schedule the operations of the several electrical generating units and appurtenant equipment of the Bonneville project in accordance with the requirements of the administrator.

Station space and equipment.

The Secretary of War shall provide and maintain for the use of the administrator at said Bonneville project adequate station space and equipment, including such switches, switchboards, instruments, and dispatching facilities as may be required by the administrator for proper reception, handling, and dispatching of the electric energy produced at the said project, together with transformers and other equipment required by the administrator for the transmission of such energy from that place at suitable voltage to the markets which the administrator desires to serve.

Encouragement of widest use of energy; prevention of monopolization, etc.

(b) In order to encourage the widest possible use of all electric energy that can be generated and marketed and to provide reasonable outlets therefor, and to prevent the monopolization thereof by limited groups, the administrator is authorized and directed to provide, construct, operate, maintain, and improve such electric transmission lines and substations, and facilities and structures appurtenant thereto, as he finds necessary, desirable, or appropriate for the purpose of transmitting electric energy, available for sale, from the Bonneville project to existing and potential markets, and, for the purpose of interchange of electric energy, to interconnect the Bonneville project with other Federal projects and publicly owned power systems now or hereafter constructed.

Acquisition of real and personal property.

(c) The administrator is authorized, in the name of the United States, to acquire, by purchase, lease, condemnation, or donation, such real and personal property, or any interest therein, including lands, easements, rights-of-way, franchises, electric transmission lines, sub-

stations, and facilities and structures appurtenant thereto, as the administrator finds necessary or appropriate to carry out the purposes of this Act. Title to all property and property rights acquired by the administrator shall be taken in the name of the United States.

Title.

(d) The administrator shall have power to acquire any property or property rights, including patent rights, which in his opinion are necessary to carry out the purposes of this Act, by the exercise of the right of eminent domain and to institute condemnation proceedings therefor in the same manner as is provided by law for the condemnation of real estate.

Eminent domain.

(e) The administrator is authorized, in the name of the United States, to sell, lease, or otherwise dispose of such personal property as in his judgment is not required for the purposes of this Act and such real property and interests in land acquired in connection with construction or operation of electric transmission lines or substations as in his judgment are not required for the purposes of this Act: *Provided, however*, That before the sale, lease, or disposition of real property or transmission lines, as herein provided, the administrator shall secure the approval of the President of the United States.

Disposal of personal property.

Real property, etc.

Proviso. Approval.

(f) Subject to the provisions of this Act, the administrator is authorized, in the name of the United States, to negotiate and enter into such contracts, agreements, and arrangements as he shall find necessary or appropriate to carry out the purposes of this Act.

Contracts, etc., authorized

SEC. 3. As employed in this Act, the term "public body", or "public bodies", means States, public power districts, counties, and municipalities, including agencies or subdivisions of any thereof.

Terms defined. "Public body"; "public bodies".

As employed in this Act, the term "cooperative", or "cooperatives", means any form of non-profit-making organization or organizations of citizens supplying, or which may be created to supply, members with any kind of goods, commodities, or services, as nearly as possible at cost.

"Cooperative"; "cooperatives".

SEC. 4. (a) In order to insure that the facilities for the generation of electric energy at the Bonneville project shall be operated for the benefit of the general public, and particularly of domestic and rural consumers, the administrator shall at all times, in disposing of electric energy generated at said project, give preference and priority to public bodies and cooperatives.

Disposal of power; preferences, etc.

(b) To preserve and protect the preferential rights and priorities of public bodies and cooperatives as provided in section (a) and to effectuate the intent and purpose of this Act that at all times up to January 1, 1941, there shall be available for sale to public bodies and cooperatives not less than 50 per centum of the electric energy produced at the Bonneville project, it shall be the duty of the administrator in making contracts for the sale of such energy to so arrange such contracts as to make such 50 per centum of such energy available to said public bodies and cooperatives until January 1, 1941: *Provided*, That the electric energy so reserved for but not actually purchased by and delivered to such public bodies and cooperatives prior to January 1, 1941, may be disposed of temporarily so long as such temporary disposition will not interfere with the purchase by and delivery to such public bodies and cooperatives at any time prior to January 1, 1941: *Provided further*, That nothing herein contained shall be construed to limit or impair the preferential and priority rights of such public bodies or cooperatives after January 1, 1941; and in the event that after such date there shall be conflicting or competing applications for an allocation of electric energy between any public body or cooperative on the one hand and a private agency of any character on the other, the application of such public body or cooperative shall be granted.

Sale to public bodies and cooperatives; amount available.

Provisos. Disposal of unused reserve.

Preferential rights after January 1, 1941.

Applications for allocations by public bodies, etc.

Private corporations.

(c) An application by any public body or cooperative for an allocation of electric energy shall not be denied, or another application competing or in conflict therewith be granted, to any private corporation, company, agency, or person, on the ground that any proposed bond or other security issue of any such public body or cooperative, the sale of which is necessary to enable such prospective purchaser to enter into the public business of selling and distributing the electric energy proposed to be purchased, has not been authorized or marketed, until after a reasonable time, to be determined by the administrator, has been afforded such public body or cooperative to have such bond or other security issue authorized or marketed.

Preferential status of public bodies, etc.

Opportunity to perfect organization, financing, etc.

(d) It is declared to be the policy of the Congress, as expressed in this Act, to preserve the said preferential status of the public bodies and cooperatives herein referred to, and to give to the people of the States within economic transmission distance of the Bonneville project reasonable opportunity and time to hold any election or elections or take any action necessary to create such public bodies and cooperatives as the laws of such States authorize and permit, and to afford such public bodies or cooperatives reasonable time and opportunity to take any action necessary to authorize the issuance of bonds or to arrange other financing necessary to construct or acquire necessary and desirable electric distribution facilities, and in all other respects legally to become qualified purchasers and distributors of electric energy available under this Act.

Negotiation of contracts for sale of power at wholesale for resale or direct consumption.

SEC. 5. (a) Subject to the provisions of this Act and to such rate schedules as the Federal Power Commission may approve, as hereinafter provided, the administrator shall negotiate and enter into contracts for the sale at wholesale of electric energy, either for resale or direct consumption, to public bodies and cooperatives and to private agencies and persons. Contracts for the sale of electric energy to any private person or agency other than a privately owned public utility engaged in selling electric energy to the general public, shall contain a provision forbidding such private purchaser to resell any of such electric energy so purchased to any private utility or agency engaged in the sale of electric energy to the general public, and requiring the immediate canceling of such contract of sale in the event of violation of such provision. Contracts entered into under this subsection shall be binding in accordance with the terms thereof and shall be effective for such period or periods, including renewals or extensions, as may be provided therein, not exceeding in the aggregate twenty years from the respective dates of the making of such contracts. Contracts entered into under this subsection shall contain (1) such provisions as the administrator and purchaser agree upon for the equitable adjustment of rates at appropriate intervals, not less frequently than once in every five years, and (2) in the case of a contract with any purchaser engaged in the business of selling electric energy to the general public, the contract shall provide that the administrator may cancel such contract upon five years' notice in writing if in the judgment of the administrator any part of the electric energy purchased under such contract is likely to be needed to satisfy the requirements of the said public bodies or cooperatives referred to in this Act, and that such cancelation may be with respect to all or any part of the electric energy so purchased under said contract to the end that the preferential rights and priorities accorded public bodies and cooperatives under this Act shall at all times be preserved. Contracts entered into with any utility engaged in the sale of electric energy to the general public shall contain such terms and conditions, including among other things stipulations concerning resale and resale rates by any such utility, as the administrator

Resale to privately owned public utility, restriction.

Terms, etc.

Renewals.

Adjustment of rates.

Cancelation provision.

Terms and conditions of contracts.

may deem necessary, desirable or appropriate to effectuate the purposes of this Act and to insure that resale by such utility to the ultimate consumer shall be at rates which are reasonable and nondiscriminatory. Such contract shall also require such utility to keep on file in the office of the administrator a schedule of all its rates and charges to the public for electric energy and such alterations and changes therein as may be put into effect by such utility.

Records required.

(b) The administrator is authorized to enter into contracts with public or private power systems for the mutual exchange of unused excess power upon suitable exchange terms for the purpose of economical operation or of providing emergency or break-down relief.

Contracts for mutual exchange of excess power; terms, etc.

SEC. 6. Schedules of rates and charges for electric energy produced at the Bonneville project and sold to purchasers as in this Act provided shall be prepared by the administrator and become effective upon confirmation and approval thereof by the Federal Power Commission. Subject to confirmation and approval by the Federal Power Commission, such rate schedules may be modified from time to time by the administrator, and shall be fixed and established with a view to encouraging the widest possible diversified use of electric energy. The said rate schedules may provide for uniform rates or rates uniform throughout prescribed transmission areas in order to extend the benefits of an integrated transmission system and encourage the equitable distribution of the electric energy developed at the Bonneville project.

Schedules of rates, etc.

Modifications.

Uniformity.

SEC. 7. It is the intent of Congress that rate schedules for the sale of electric energy which is or may be generated at the Bonneville project in excess of the amount required for operating the dam, locks, and appurtenant works at said project shall be determined with due regard to and predicated upon the fact that such electric energy is developed from water power created as an incident to the construction of the dam in the Columbia River at the Bonneville project for the purposes set forth in section 1 of this Act. Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of Bonneville project) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment over a reasonable period of years. Rate schedules shall be based upon an allocation of costs made by the Federal Power Commission. In computing the cost of electric energy developed from water power created as an incident to and a byproduct of the construction of the Bonneville project, the Federal Power Commission may allocate to the costs of electric facilities such a share of the cost of facilities having joint value for the production of electric energy and other purposes as the power development may fairly bear as compared with such other purposes.

Rates predicated on fact that power created is an incident to dam construction.

Rates applied to costs of production and transmission, including amortization of capital investment.

Allocation of costs.

SEC. 8. Notwithstanding any other provision of law, all purchases and contracts made by the administrator or the Secretary of War for supplies or for services except for personal services, shall be made after advertising, in such manner and at such times, sufficiently in advance of opening bids, as the administrator or Secretary of War, as the case may be, shall determine to be adequate to insure notice and opportunity for competition. Such advertisement shall not be required, however, when (1) an emergency requires immediate delivery of the supplies or performance of the services; or (2) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (3) the aggregate amount involved in any purchase of supplies or procurement of services does not exceed $500; in which cases such purchases of supplies or procurement of services may be made in the

Purchases and contracts.

Advertising; opening of bids.

Emergencies.

Repair parts, etc.

Minor purchases.

Qualifications.

open market in the manner common among businessmen. In comparing bids and in making awards, the administrator or the Secretary of War, as the case may be, may consider such factors as relative quality and adaptability of supplies or services, the bidder's financial responsibility, skill, experience, record of integrity in dealing, and ability to furnish repairs and maintenance services, the time of delivery or performance offered, and whether the bidder has complied with the specifications.

Accounts of operations.

SEC. 9. (a) The administrator, subject to the requirements of the Federal Water Power Act, shall keep complete and accurate accounts of operations, including all funds expended and received in connection with transmission and sale of electric energy generated at the Bonneville project.

Expenditures.

(b) The administrator may make such expenditures for offices, vehicles, furnishings, equipment, supplies, and books; for attendance at meetings; and for such other facilities and services as he may find necessary for the proper administration of this Act.

Financial, etc., report to Congress.

(c) In December of each year, the administrator shall file with the Congress, through the Secretary of the Interior, a financial statement and a complete report as to the transmission and sale of electric energy generated at the Bonneville project during the preceding governmental fiscal year.

Experts; salary restriction.

SEC. 10. The administrator, the Secretary of War, and the Federal Power Commission, respectively, shall appoint such attorneys, engineers, and other experts as may be necessary for carrying out the functions entrusted to them under this Act, without regard to the provisions of the civil-service laws and shall fix the compensation of each of such attorneys, engineers, and other experts at not to exceed $7,500 per annum; and they may, subject to the civil-service laws, appoint such other officers and employees as may be necessary to carry out such functions and fix their salaries in accordance with the Classification Act of 1923 as amended.

Other personal services.

Receipts covered in; exception.

SEC. 11. All receipts from transmission and sale of electric energy generated at the Bonneville project shall be covered into the Treasury of the United States to the credit of miscellaneous receipts, save and except that the Treasury shall set up and maintain from such receipts a continuing fund of $500,000, to the credit of the administrator and subject to check by him, to defray emergency expenses and to insure continuous operation. There is hereby authorized to be appropriated from time to time, out of moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act, including installation of equipment and machinery for the generation of electric energy and facilities for its transmission and sale.

Emergency expenses, etc.
Appropriations authorized.
Post, p. 764.

Suits necessary for execution of Act authorized.

SEC. 12. The administrator may, in the name of the United States, under the supervision of the Attorney General, bring such suits at law or in equity as in his judgment may be necessary to carry out the purposes of this Act; and he shall be represented in the prosecution and defense of all litigation affecting the status or operation of Bonneville project by the United States Attorneys for the districts, respectively, in which such litigation may arise, or by such attorney or attorneys as the Attorney General may designate as authorized by law, in conjunction with the regularly employed attorneys of the administrator.

Separability provision.

SEC. 13. If any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Approved, August 20, 1937.

[CHAPTER 721]

AN ACT

August 20, 1937
[H. R. 7949]
[Public, No. 330]

To exempt State liquor-dispensing systems from the requirement of keeping certain records and rendering transcripts and summaries of entries with respect to distilled spirits.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3318 of the Revised Statutes, as amended (U. S. C., 1934 edition, Supp. II, title 26, secs. 1208 and 1209) (relating to keeping entry books with respect to distilled spirits and rendering transcripts and summaries thereof), is amended by adding at the end thereof the following new paragraph:

Internal revenue.
R. S. § 3318.
26 U. S. C., Supp. II, §§ 1208, 1209.

"The provisions of this section shall not apply to States and Commonwealths and liquor stores operated by such States and Commonwealths that maintain and make available to inspection by internal-revenue officers such records as will enable such officers to readily trace all distilled spirits received and disposed of by them: *Provided*, That such States and Commonwealths, and the liquor stores operated by them, shall, upon the request of the Commissioner of Internal Revenue, furnish to the Commissioner such transcripts, summaries, and copies of their records as he shall require."

State liquor-dispensing systems; exemption from keeping certain records.

Proviso.
Furnishing of transcripts, etc., on request.

Approved, August 20, 1937.

[CHAPTER 725]

AN ACT

August 21, 1937
[S. 413]
[Public, No. 331]

To create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created a commission to be composed of three members appointed by the Secretary of the Interior, all of whom shall have an intimate knowledge of irrigation farming but who shall not be employees of the Bureau of Reclamation or the Bureau of Indian Affairs of the Department of the Interior, and shall have no financial interest in the matters coming under their jurisdiction. The commission is authorized and directed to investigate the financial, economic, and other conditions of the various United States and Indian reclamation projects, with particular reference to the ability of each such project to make payments of water-right charges without undue burden on the water users, district, association, or other reclamation organization liable for such charges. Such investigation shall include an examination and consideration of any statement filed with the commission, or the Department of the Interior, by any such district, association, or other reclamation organization, or the water users thereof, and, where deemed advisable by the commission and requested by such district, association, or other reclamation organization, said commission may proceed to such project and hold hearings, the proceedings of which shall be reduced to writing and filed with its reports. Said commission, after having made careful investigation and study of the financial, economic, and other conditions of the various United States and Indian reclamation projects and their probable present and future ability to meet such water-right charges, shall report to the Congress as soon as practicable, with its recommendations as to the best, most feasible, and practicable comprehensive permanent plan for such water-right payments with due consideration for the development and carrying on of the reclamation program of the United States, and having par-

United States and Indian reclamation projects.
Commission created to investigate financial, etc., conditions.

Ability to pay water right charges.

Scope of investigation.

Report and recommendations to Congress.

ticularly in mind the probable ability of such water users, districts, associations, or other reclamation organizations to meet such water-right charges regularly and fully from year to year during periods of prosperity and good prices for agricultural products as well as during periods of decline in agricultural income and unsatisfactory conditions of agriculture.

Appropriation authorized for expenses. *Post*, p. 764.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $30,000, which shall be available for expenditure, as the Secretary of the Interior may direct, for expenses and all necessary disbursements, including salaries, in carrying out the provisions of this Act. The commission is authorized to appoint and fix the compensation of such employees as may be necessary for carrying out its functions under this Act without regard to civil-service laws or the Classification Act of 1923, as amended.

Personal services. 5 U. S. C. §§ 631-652; 661-674.

Extension of time for payment where conditions justify.

SEC. 3. If upon investigation the commission shall find that a project, because of partial crop failure due to a water shortage or other causes beyond the control of the water users, is unable to make full payment of the construction charges becoming due and payable for the calendar year 1937, without great hardship or undue burden, the commission is hereby authorized to certify that fact to the Secretary and such certfication [1], if approved by said Secretary, shall operate to grant an extension of time for the payment of such proportion of the construction charges due for the calendar year 1937 as the commission considers just and equitable, the proportion of the charges so extended to be paid at such time as the Secretary may determine.

Sections repealed. 49 Stat. 1206, 1207.

SEC. 4. Sections 1 and 2 of the Act approved April 14, 1936 (Public, Numbered 519, Seventy-fourth Congress), are hereby repealed.

Approved, August 21, 1937.

[CHAPTER 726]

AN ACT

August 21, 1937
[S. 1551]
[Public, No. 332]

To amend section 24 of the Judicial Code, as amended, with respect to the jurisdiction of the district courts of the United States over suits relating to the collection of State taxes.

Judicial Code, amendment. United States district courts. Jurisdiction over suits relating to State tax assessment. 36 Stat. 1091. 28 U. S. C. § 41.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 24 of the Judicial Code, as amended, is amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this paragraph, no district court shall have jurisdiction of any suit to enjoin, suspend, or restrain the assessment, levy, or collection of any tax imposed by or pursuant to the laws of any State where a plain, speedy, and efficient remedy may be had at law or in equity in the courts of such State."

Pending suits not affected.

SEC. 2. The provisions of this Act shall not affect suits commenced in the district courts, either originally or by removal, prior to its passage; and all such suits shall be continued, proceedings therein had, appeals therein taken, and judgments therein rendered, in the same manner and with the same effect as if this Act had not been passed.

Approved, August 21, 1937.

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[1] So in original.

[CHAPTER 727]

AN ACT

To authorize the revision of the boundaries of the Snoqualmie National Forest, in the State of Washington.

August 21, 1937
[S. 1696]
[Public, No. 333]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to any valid existing claim or entry, all lands of the United States within the areas hereafter described are hereby added to and made part of the Snoqualmie National Forest, State of Washington, to be hereafter administered under the laws and regulations relating to the national forests; and the provisions of the Act approved March 20, 1922 (42 Stat. 465), as amended, are hereby extended and made applicable to all other lands within said described areas:

Snoqualmie National Forest, Wash. Lands added.

42 Stat. 465.

Description.

Township 21 north, range 7 east, sections 1, 12, 13, 24, 25, and 36. All of township 21 north, range 8 east. Township 20 north, range 7 east, sections 1 and 12. Township 20 north, range 8 east, sections 1 to 18, inclusive, and sections 20 to 24, inclusive. Township 20 north, range 9 east, sections 7 to 15, inclusive. Township 20 north, range 10 east, sections 7, 13, 17 to 24, inclusive, 27, 28, and 29. Township 20 north, range 11 east, sections 17, 18, and 19.

Also lands not now within the national forest within the following townships:

Township 27 north, range 10 east; township 26 north, range 10 east; township 26 north, range 11 east; township 26 north, range 12 east.

Part of township 27 north, range 9 east, including those portions of the following sections not now within the national forest:

Sections 10, 11, 12, 13, 14, 15, 22, north half 23, and north half 24.

All Willamette base and meridian.

Approved, August 21, 1937.

[CHAPTER 728]

AN ACT

To amend section 77 of the Judicial Code, as amended, to create a Brunswick division in the southern district of Georgia, with terms of court to be held at Brunswick.

August 21, 1937
[S. 1816]
[Public, No. 334]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (f) and (g) of section 77 of the Judicial Code, as amended, are amended to read as follows:

Judicial Code, amendments. 28 U. S. C. § 150 (f), (g).

"(f) The southern district shall include five divisions, to be constituted as follows: The Augusta division, which shall include the territory embraced on January 1, 1925, in the counties of Burke, Columbia, Glascock, Jefferson, Lincoln, McDuffie, Richmond, Taliaferro, Warren, and Wilkes; the Dublin division, which shall include the territory embraced on such date in the counties of Dodge, Emanuel, Johnson, Laurens, Montgomery, Telfair, Toombs, Treutlen, and Wheeler; the Savannah division, which shall include the territory embraced on such date in the counties of Bryan, Bulloch, Candler, Chatham, Effingham, Evans, Jenkins, Liberty, Screven, and Tattnall; the Waycross division which shall include the territory embraced on such date in the counties of Atkinson, Bacon, Ben Hill, Brantley, Charlton, Coffee, Pierce, and Ware; and the Brunswick division, which shall include the territory embraced on such date in the counties of Appling, Camden, Glynn, Jeff Davis, Long, McIntosh, and Wayne.

Georgia southern judicial district.

Augusta division.

Dublin division.

Savannah division.

Waycross division.

Brunswick division.

Terms.

"(g) The terms of the district court for the Augusta division shall be held at Augusta on the first Monday in April and the third Monday in November; for the Dublin division at Dublin on the third Mondays in January and June: *Provided*, That suitable rooms and accommodations are furnished for holding court at Dublin, free of cost to the Government, until a public building shall have been erected or put into proper condition for such purpose in said city; for the Savannah division at Savannah on the second Tuesdays in February, May, August, and November; for the Waycross division at Waycross on the second Mondays in June and December; for the Brunswick division at Brunswick on the second Mondays in March and October: *Provided*, That no cost shall be incurred by the Government in furnishing quarters for holding court at Brunswick."

Provisos.
Court accommodations.

Quarters at Brunswick, no Federal expense.

Middle district, Valdosta division.
Clinch County added.
28 U. S. C. § 150 (a).

SEC. 2. Subsection (d) of section 77 of the Judicial Code, as amended, is amended by inserting after the name "Berrien" a comma and the name "Clinch".

Approved, August 21, 1937.

[CHAPTER 729]

JOINT RESOLUTION

August 21, 1937
[H. J. Res. 385]
[Pub. Res., No. 66]

Authorizing the President to invite the States of the Union and foreign countries to participate in the Oil World Exposition at Houston, Texas, to be held October 11 to 16, 1937, inclusive.

Oil World Exposition, 1937.
President authorized to invite the States of the Union and foreign countries to participate.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and all foreign countries to participate in the proposed Oil World Exposition, to be held at Houston, Texas, from October 11 to 16, 1937, inclusive, for the purpose of exhibiting samples of fabricated and raw products of all countries produced by the petroleum industry; and the exhibiting of the tools and equipment used by the industry; and bringing together buyers and sellers for promotion of trade and commerce in such products.

Dutiable articles imported for exhibition, etc., admitted free, under regulations.

SEC. 2. That all articles which shall be imported from foreign countries for the purpose of exhibition at the Oil World Exposition, to be held at Houston, Texas, from October 11 to 16, 1937, inclusive, by the Oil World Exposition, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements

Sales permitted.

Provisos.
Duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouse under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the Oil World Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for articles imported under the provisions of this Act, shall be reimbursed by the Oil World Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930.

Abandoned articles.

Transfer privilege.

Exposition deemed sole consignee of merchandise.

Incurred Federal expenses reimbursable.

Deposit of receipts as refunds.
46 Stat. 741.
19 U. S. C. § 1524.

SEC. 3. That the Government of the United States is not by this resolution obligated to any expense in connection with the holding of such exposition.

No Federal obligation assumed.

Approved, August 21, 1937.

[CHAPTER 731]

AN ACT

August 21, 1937
[S. 2751]
[Public, No. 335]

To authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the West Point Military Reservation, New York, for the construction thereon of certain public buildings, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to make transfers to the jurisdiction and control of the Secretary of the Treasury of such portions of the property at present included within the West Point Military Reservation, New York, and upon such conditions as may be mutually agreed upon by the Secretary of War and the Secretary of the Treasury. The Secretary of the Treasury is hereby authorized to construct within the limits of the property so transferred such building or buildings, appurtenances, and approaches thereto as he may deem adequate and suitable for the use of the Treasury Department as a depository, and for use in carrying out any other functions or duties of the Treasury Department: *Provided*, That upon cessation of such use the premises or any part thereof so transferred shall revert to the jurisdiction of the War Department.

West Point Military Reservation, N.Y.
Jurisdiction over portions, transferred to Treasury Department for public building construction.

Proviso.
Reversionary provision.

Approved, August 21, 1937.

[CHAPTER 732]

AN ACT

August 21, 1937
[H. R. 2014]
[Public, No. 336]

To amend an Act entitled "An Act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes", approved May 30, 1934.

Everglades National Park, Fla.
48 Stat. 816.
16 U. S. C. § 410b.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes", approved May 30, 1934, be, and the same is hereby, amended by striking therefrom the following words: "*And provided further*, That the United States shall not expend any public moneys for the administration, protection, or development of the aforesaid park within a period of five years from the date of approval of this Act."

Provision prohibiting expenditure of public moneys eliminated.

Approved, August 21, 1937.

[CHAPTER 733]

AN ACT

August 21, 1937
[H. R. 7127]
[Public, No. 337]

Authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Oklahoma, to be held May 14 to May 21, 1938.

International Petroleum Exposition, Tulsa, Okla.

President authorized to invite the States of the Union and foreign countries to participate.

Be in[1] *enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States is authorized to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and all foreign countries to participate in the proposed International Petroleum Exposition, to be held at Tulsa, Oklahoma, from May 14, 1938, to May 21, 1938, inclusive, for the purpose of exhibiting samples of fabricated and raw products of all countries used in the petroleum industry and bringing together buyers and sellers for promotion of trade and commerce in such products.

Dutiable articles imported for exhibition, etc., admitted free, under regulations.

SEC. 2. All articles which shall be imported from foreign countries for the purpose of exhibition at the International Petroleum Exposition, or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of

Sales permitted.

Provisos.
Duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

Abandoned articles.

[1] So in original.

the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law, and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the International Petroleum Exposition shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the International Petroleum Exposition to the Government of the United States under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

Transfer privilege.

Exposition deemed sole consignee of merchandise.

Incurred Federal expenses reimbursable.

Deposit of receipts as refunds.
46 Stat. 741.
19 U. S. C. § 1524.

SEC. 3. That the Government of the United States is not by this Act obligated to any expense in connection with the holding of such exposition and is not hereafter to be obligated other than for suitable representation thereat.

No Federal obligation assumed.

Approved, August 21, 1937.

[CHAPTER 735]

AN ACT

August 23, 1937
[H. R. 4291]
[Public, No. 338]

To extend further time for naturalization to alien veterans of the World War under the Act approved May 25, 1932 (47 Stat. 165), to extend the same privileges to certain veterans of countries allied with the United States during the World War, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision (a) of section 1 of the Act entitled "An Act to further amend the naturalization laws, and for other purposes", approved May 25, 1932 (47 Stat. 165; U. S. C., Supp. VII, title 8, sec. 392b (a)), shall, as herein amended, continue in force and effect to include petitions for citizenship filed prior to May 25, 1938, with any court having naturalization jurisdiction: *Provided*, That for the purposes of this Act clause (1) of subdivision (a) of section 1 of the aforesaid Act of May 25, 1932, is amended by striking out the words "all such period" and in lieu thereof inserting the words "the five years immediately preceding the filing of his petition."

Naturalization of alien veterans residing in the United States.
47 Stat. 165.
8 U. S. C. § 392b (a); Supp. II, § 392b (a).
Extension of privileges to May 25, 1938.

Proviso.
Continuous residence and good behavior provisions.

SEC. 2. The provisions of section 1 of this Act are hereby extended to include any alien lawfully admitted into the United States for permanent residence who departed therefrom between August 1914 and April 5, 1917, or who departed therefrom subsequent to April 5, 1917, for the purpose of serving, and actually served prior to November 11, 1918, in the military or naval forces of any of the countries allied with the United States in the World War and was discharged from such service under honorable circumstances: *Provided*, That before any applicant for citizenship under this section is admitted to citizenship, the court shall be satisfied by competent proof that he is entitled to and has complied in all respects with the provisions of

Service in allied forces.

Proviso.
Terms, conditions, etc.

this Act; and that he was and had been a bona fide lawfully admitted resident in the United States for two years before the passage of this Act.

Rules to be prescribed.

SEC. 3. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe such rules and regulations as may be necessary for the enforcement of this Act.

Approved, August 23, 1937.

[CHAPTER 736]

AN ACT

August 23, 1937
[H. R. 4582]
[Public, No. 339]

To amend the Act, approved August 4, 1919, as amended, providing additional aid for the American Printing House for the Blind.

American Printing House for the Blind.
41 Stat. 272.
20 U. S. C. § 101.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act providing additional aid for the American Printing House for the Blind", approved August 4, 1919, as amended, is hereby amended to read as follows:

Annual appropriations increased.
Post, p. 775.

"That for the purpose of enabling the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind, there is hereby authorized to be appropriated annually to it, in addition to the permanent appropriation

20 Stat. 467.

of $10,000 made in the Act entitled 'An Act to promote the education of the Blind', approved March 3, 1879, as amended, the sum of $115,000, which sum shall be expended in accordance with the requirements of said Act to promote the education of the blind."

Approved, August 23, 1937.

[CHAPTER 737]

AN ACT

August 23, 1937
[H. R. 6208]
[Public, No. 340]

To amend an Act of Congress entitled "An Act to provide for the appointment of an additional district judge for the northern and southern districts of West Virginia", approved June 22, 1936, by changing the times provided therein for holding the United States district court at various places now fixed by law in the State of West Virginia.

West Virginia northern and southern judicial districts.
Terms of court.
Northern district.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the present district judge for the northern district of West Virginia shall hold regular terms of court in such northern district at the following places and times, that is to say:

(a) At the city of Martinsburg on the first Tuesday in April and the fourth Tuesday in September in each year;

(b) At the city of Wheeling on the third Tuesdays in April and October in each year;

(c) At the city of Elkins on the first Tuesday in June and the third Tuesday in November in each year;

Special terms.

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint.

Southern district.

The present district judge for the southern district of West Virginia shall hold regular terms of court in said southern district at the following times and places, that is to say:

(a) At the city of Bluefield on the third Tuesdays in January and June in each year;

(b) At the city of Lewisburg on the first Tuesdays in March and September in each year;

(c) At the city of Charleston on the second Tuesday in April and on the third Tuesday in November in each year;

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint. Special terms.

Judge for northern and southern districts, terms of court. 49 Stat. 1805.

The district judge for the said northern and southern districts of West Virginia, appointed under the Act approved June 22, 1936, shall hold regular terms of court in said northern and southern districts at the following places and times, that is to say:

(a) At the city of Clarksburg in said northern district on the first Tuesday in January and on the fourth Tuesday in August in each year;

(b) At the city of Parkersburg in said northern district on the third Tuesday in March and on the first Tuesday in October in each year;

(c) At the city of Huntington in said southern district on the second Tuesday in May and on the third Tuesday in October in each year;

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint. Special terms.

Approved, August 23, 1937.

[CHAPTER 738]

AN ACT

August 23, 1937
[H. R. 7849]
[Public, No. 341]

Authorizing State Highway Commission of Arkansas and State Highway Commission of Mississippi to construct, maintain, and operate a toll bridge across the Mississippi River at or near Lake Village, Chicot County, Arkansas, and to a place at or near Greenville, Washington County, Mississippi.

Mississippi River. Bridge authorized across, Lake Village, Ark., to Greenville, Miss.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Arkansas State Highway Commission and Mississippi State Highway Commission, cooperating with equal powers, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Lake Village, Chicot County, Arkansas, and to a place at or near Greenville, Washington County, Mississippi, in accordance with the provisions of the Act entitled, "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Construction. 34 Stat. 84. 33 U. S. C. §§ 491-498.

SEC. 2. There is hereby conferred upon Arkansas State Highway Commission and Mississippi State Highway Commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of approaches, etc.

Condemnation proceedings.

SEC. 3. The State Highway Commission of Arkansas and State Highway Commission of Mississippi are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Tolls. 34 Stat. 85. 33 U. S. C. § 494.

Tolls applied to operation, sinking fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 25 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge, etc., after amortizing costs.

Record of expenses and receipts.

Amendment.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 23, 1937.

[CHAPTER 739]

AN ACT

August 23, 1937
[H. R. 8167]
[Public, No. 342]

To extend the times for commencing and completing the construction of a bridge across the Delaware River between the village of Barryville, New York, and the village of Shohola, Pennsylvania.

Delaware River. Time extended for bridging, Barryville, N. Y., to Shohola, Pa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the highway bridge across the Delaware River between points in the village of Barryville, Sullivan County, New York, and the village of Shohola, Pike County, Pennsylvania, authorized to be built by the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania, by an Act of Congress approved June 19, 1936, are hereby extended one and three years, respectively, from June 19, 1937.

49 Stat. 1531.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 23, 1937.

[CHAPTER 741]

AN ACT

August 24, 1937
[S. 1216]
[Public, No. 343]

Authorizing the Secretary of the Interior to convey certain land to the State of Montana to be used for the purposes of a public park and recreational site.

Montana. Conveyance of certain lands to, for public park, etc., purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey to the State of Montana, upon the conditions and limitations hereinafter expressed, the following-described land of the United States in the State of Montana, to be held and used by such State for the purposes of a State public park and recreational site:

MONTANA PRINCIPAL MERIDIAN

Description.

Township 1 north, range 2 west, section 7, west half; section 8, south half southwest quarter and southwest quarter southeast quarter; section 17, lots 1, 2, 10, 11, and 12, and north half northwest quarter; section 18, northeast quarter northeast quarter, northwest quarter, northeast quarter southwest quarter, lot 3 or northwest quarter southwest quarter, and north half southeast quarter; section 20, northwest quarter northeast quarter northeast quarter and northwest quarter northeast quarter.

Township 1 north, range 3 west, section 12, southeast quarter northeast quarter and east half southeast quarter (lots 7 and 12); section 13, east half northeast quarter (lots 1 and 4), and northwest quarter northeast quarter lot 2).

Reversionary provisions.

In the event the State shall fail to devote such lands to the purposes of a State public park and recreational site within five years after the date of enactment of this Act, or fail to maintain such land as a public park and recreational site for any period of five consecutive years subsequent to its devotion to such use, or devote such lands or any part thereof to another use, such land and all improvements thereon shall revert to the United States; and in such event the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant, and to assume jurisdiction of lot 12, section 17, township 1 north, range 2 west, for national-monument purposes under the Act of June 8, 1906 (34 Stat. 225). Any patent issued hereunder shall contain a reservation to the United States of all mineral deposits in the land patented: *Provided*, That such minerals so reserved shall be prospected for, mined, and removed only in accordance with regulations to be prescribed by the Secretary of the Interior.

34 Stat. 225.
16 U. S. C. § 431.

Proviso.
Mineral reservation.

Approved, August 24, 1937.

[CHAPTER 742]

AN ACT

August 24, 1937
[S. 1889]
[Public, No. 344]

Authorizing the Secretary of the Interior to convey all right, title, and interest of the United States in certain lands to the State of New Mexico, and for other purposes.

New Mexico.
Conveyance of certain lands to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey by quitclaim deed to the State of New Mexico all the right, title, and interest, legal and equitable, of the United States in and to all lands patented to such State under Patent Numbered 854989, issued March 17, 1922, under the provisions of volume 28, United States Statutes, page 422, commonly known as the Carey Act: *Provided*, That such quitclaim deed shall contain a reservation of a right-of-way for ditches and canals as required by the Act of August 30, 1890 (26 Stat. 391).

28 Stat. 422.
43 U. S. C. § 641.

Proviso.
Right-of-way reserved.
26 Stat. 391.
43 U. S. C. § 945.

Approved, August 24, 1937.

[CHAPTER 743]

AN ACT

August 24, 1937
[S. 2614]
[Public, No. 345]

Authorizing the Secretary of the Interior to patent certain tracts of land to the State of New Mexico and Cordy Bramblet.

New Mexico.
Land patent to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue, without requiring the payment of any fees or charges whatsoever, (1) to the State of New Mexico a patent for lot 13, section 4, township 14 south, range 4 west, New Mexico principal meridian, such land to be subject to a reservation of a sufficient right-of-way and easement for the maintenance of any part of the sewer lines and sewage-disposal plant of the city of Hot Springs now maintained upon such tract; (2) to Cordy Bramblet, of Hot Springs, New Mexico, a patent for lot 14, section 4, township 14 south, range 4 west, New Mexico principal meridian.

Rights reserved.

Cordy Bramblet.
Land patent to.

Approved, August 24, 1937.

[CHAPTER 744]

AN ACT

August 24, 1937
[S. 2682]
[Public, No. 346]

To authorize the Secretary of the Interior to issue patents to States under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976), subject to prior leases issued under section 15 of the said Act.

Public lands.
Issuance of patents to States of certain lands under designated laws.
48 Stat. 1269; 49 Stat. 1976.
43 U. S. C. § 315; Supp. II, § 315.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior in adjudicating State exchanges, under section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976), involving lands embraced in outstanding leases under section 15 of said Act issued prior to the filing of the State exchange application, is hereby authorized upon the request of any State to issue patent to the State, subject to such outstanding lease: *Provided*, That the United States shall not by reason of the issuance of any such patents be required to account to the State for any money due and collected prior thereto as rent for any part of the then-current annual rental period except as is now provided by law.

Proviso.
Accountability.

Approved, August 24, 1937.

[CHAPTER 745]

AN ACT

August 24, 1937
[S. 2901]
[Public, No. 347]

To amend subsection (c) of section 9 of the Trading with the Enemy Act, as amended.

Trading with the Enemy Act, amendment.
42 Stat. 1514.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (e) of section 9 of the Trading with the Enemy Act, as amended, is amended by inserting after the words "unless such nation in like case extends reciprocal rights to citizens of the United States" a colon and the following: "*Provided*, That any arrangement made by a foreign nation for the release of money and other property of American citizens and certified by the Secretary of State to the Attorney General as fair and the most advantageous arrangement obtainable shall be regarded as meeting this requirement."

Reciprocal release of sequestrated property.

Approved, August 24, 1937.

[CHAPTER 746]

AN ACT

August 24, 1937
[H. R. 2702]
[Public, No. 348]

To permit grand-jury extensions to be ordered by any district judge.

Judicial Code, amendment.
36 Stat. 1165.
28 U. S. C. § 421.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 284 of the Judicial Code, as amended (U. S. C., title 28, sec. 421), be, and the same is hereby amended to read as follows:

Summoning of grand juries.

"SEC. 284. No grand jury shall be summoned to attend any district court unless the judge thereof, in his own discretion or upon a notification by the district attorney that such jury will be needed, orders a venire to issue therefor. If the United States attorney for any district which has a city or borough containing at least three hundred thousand inhabitants shall certify in writing to a district judge of the district that the exigencies of the public service require it, the judge may, in his discretion, also order a venire to issue for a second grand jury. If the United States attorney for the southern district of New York shall certify in writing to the senior district judge of said district that the exigencies of the public service require

Second grand jury in large cities.

Third jury, southern district of New York.

it, said judge may, in his discretion, also order a venire to issue for a third grand jury. The district court may in term order a grand jury to be summoned at such time, and to serve such time as it may direct, whenever, in its judgment, it may be proper to do so. A district judge may, upon request of the district attorney or of the grand jury or on his own motion, by order authorize any grand jury to continue to sit during the term succeeding the term at which such request is made, solely to finish investigations begun but not finished by such grand jury, but no grand jury shall be permitted to sit in all during more than three terms. Nothing herein shall operate to extend beyond the time permitted by law the imprisonment before indictment found of a person accused of crime or offense, or the time during which a person so accused may be held under recognizance before indictment found."

Extensions to complete investigations; limitation.

Imprisonment before indictment, etc., time limit not extended.

Approved, August 24, 1937.

[CHAPTER 747]

AN ACT

To amend the bank-robbery statute to include burglary and larceny.

August 24, 1937
[H. R. 5900]
[Public, No. 349]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 2 of the Act of May 18, 1934 (48 Stat. 783; U. S. C., title 12, sec. 588b), be and the same is hereby, amended to read as follows:

Offenses against banks.
48 Stat. 783.
12 U. S. C. § 588b.

"(a) Whoever, by force and violence, or by putting in fear, feloniously takes, or feloniously attempts to take, from the person or presence of another any property or money or any other thing of value belonging to, or in the care, custody, control, management, or possession of, any bank; or whoever shall enter or attempt to enter any bank, or any building used in whole or in part as a bank, with intent to commit in such bank or building, or part thereof, so used, any felony or larceny, shall be fined not more than $5,000 or imprisoned not more than twenty years, or both; or whoever shall take and carry away, with intent to steal or purloin, any property or money or any other thing of value exceeding $50 belonging to, or in the care, custody, control, management, or possession of any bank, shall be fined not more than $5,000 or imprisoned not more than ten years, or both; or whoever shall take and carry away, with intent to steal or purloin, any property or money or any other thing of value not exceeding $50 belonging to, or in the care, custody, control, management, or possession of any bank, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

Bank robbery; burglary and larceny added.

Penalty provisions.

Approved, August 24, 1937.

[CHAPTER 748]

JOINT RESOLUTION

Authorizing an appropriation for the expenses of participation by the United States in the Inter-American Radio Conference to be held in 1937 at Habana, Cuba.

August 24, 1937
[S. J. Res. 197]
[Pub. Res., No. 67]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000, or so much thereof as may be necessary, for the expenses of participation by the United States in the Inter-American Radio Conference to be held in 1937 at Habana,

Inter-American Radio Conference, 1937.
Appropriation authorized for participation expenses.
Post, p. 770.

Services in the District. 5 U. S. C. §§ 661-674.

R. S. § 3709. 41 U. S. C. § 5.

Reimbursement of other appropriations.

Cuba, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified.

Approved, August 24, 1937.

[CHAPTER 749]

JOINT RESOLUTION

August 24, 1937 [S. J. Res. 199] [Pub. Res., No. 68]

To authorize an appropriation for the expenses of participation by the United States in the Eighth International Road Congress in 1938.

Eighth International Road Congress, 1938.

Appropriation authorized for participation expenses.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, or so much thereof as may be necessary, for the expenses of participation by the United States in the Eighth International Road Congress, to be held in The Netherlands in 1938, including personal services in the District of Columbia and elsewhere, without reference to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; official cards; printing and binding; preparation, installation, transportation, and operation of an appropriate exhibit; entertainment; local transportation; the payment of expenses incident to travel by steamer, rail, or motorbus on the official congress inspection trip; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payment may have been made for any of the purposes herein specified.

Services in the District. 5 U. S. C. §§ 661-674.

R. S. § 3709. 41 U. S. C. § 5.

Reimbursement of other appropriations.

Approved, August 24, 1937.

[CHAPTER 752]

AN ACT

August 24, 1937 [H. R. 5417] [Public, No. 350]

To provide for the measurement of vessels using the Panama Canal, and for other purposes.

Canal Zone Code, amendment. 48 U. S. C. § 1315.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 412 of title 2 of the Canal Zone Code, approved June 19, 1934, is hereby amended to read as follows:

Bases of tolls.

"Tolls on merchant vessels, army and navy transports, colliers, hospital ships, supply ships, and yachts shall be based on net vessel-tons of one hundred cubic feet each of actual earning capacity determined in accordance with the Rules for the Measurement of Vessels for the Panama Canal prescribed by the President and as may be modified by him from time to time by proclamation, and tolls on other floating craft shall be based on displacement tonnage: *Provided*, That the basic rules of measurement shall not be changed except after public hearing and six months' public notice of such change. The

Proviso. Restriction on changing basic rules of measurement.

rate of tolls on laden vessels shall not exceed $1, nor be less than $0.75 per net vessel-ton as determined under the aforesaid rules, and on vessels in ballast without passengers or cargo the rate may be less than the rate of tolls for vessels with passengers or cargo. In addition to the tolls based on measurement or displacement tonnage, tolls may be levied on passengers at rates not to exceed $1.50 for each passenger. The levy of tolls is subject to the provisions of article XIX of the convention between the United States of America and the Republic of Panama, entered into November 18, 1903, and of article I of the treaty between the United States of America and the Republic of Colombia proclaimed March 30, 1922."

Rates.

Passenger tolls.

33 Stat. 2239; 42 Stat. 2122.

SEC. 2. This Act shall take effect and be enforced on and after March 1, 1938.

Effective date.

Approved, August 24, 1937.

[CHAPTER 753]

AN ACT

August 24, 1937
[S. 1226]
[Public, No. 351]

To amend the Act of May 3, 1935, relating to the promotion of safety on the highways of the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 3 and 9 of the Act entitled "An Act to promote safety on the public highways of the District of Columbia by providing for the financial responsibility of owners and operators of motor vehicles for damages caused by motor vehicles on the public highways in the District of Columbia; to prescribe penalties for the violation of the provisions of this Act, and for other purposes", approved May 3, 1935, are amended by striking out the phrase "in excess of $100" where it appears in such sections.

District of Columbia.
Financial responsibility, motor-vehicle operators.
49 Stat. 167, 171.
Suspension of permit and registration certificate; minimum amount of judgment eliminated.

SEC. 2. Section 4 of such Act is amended by striking out the phrase "over $100 in amount".

Bonds; damage judgment, amount repealed.
49 Stat. 169.

Approved, August 24, 1937.

[CHAPTER 754]

AN ACT

August 24, 1937
[H. R. 2260]
[Public, No. 352]

To provide for intervention by the United States, direct appeals to the Supreme Court of the United States, and regulation of the issuance of injunctions, in certain cases involving the constitutionality of Acts of Congress, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the constitutionality of any Act of Congress affecting the public interest is drawn in question in any court of the United States in any suit or proceeding to which the United States, or any agency thereof, or any officer or employee thereof, as such officer or employee, is not a party, the court having jurisdiction of the suit or proceeding shall certify such fact to the Attorney General. In any such case the court shall permit the United States to intervene and become a party for presentation of evidence (if evidence is otherwise receivable in such suit or proceeding) and argument upon the question of the constitutionality of such Act. In any such suit or proceeding the United States shall, subject to the applicable provisions of law, have all the rights of a party and the liabilities of a party as to court costs to the extent necessary for a proper presentation of the facts and law relating to the constitutionality of such Act.

United States courts.
Intervention by United States in suits where constitutionality of Act of Congress drawn in question.

Rights and liabilities.

Direct appeal by United States to Supreme Court where decision against constitutionality and United States a party.

SEC. 2. In any suit or proceeding in any court of the United States to which the United States, or any agency thereof, or any officer or employee thereof, as such officer or employee, is a party, or in which the United States has intervened and become a party, and in which the decision is against the constitutionality of any Act of Congress, an appeal may be taken directly to the Supreme Court of the United States by the United States or any other party to such suit or proceeding upon application therefor or notice thereof within thirty days after the entry of a final or interlocutory judgment, decree, or order; and in the event that any such appeal is taken, any appeal or cross-appeal by any party to the suit or proceeding taken previously, or taken within sixty days after notice of an appeal under this section, shall also be or be treated as taken directly to the Supreme Court of the United States. In the event that an appeal is taken under this section, the record shall be made up and the case docketed in the Supreme Court of the United States within sixty days from the time such appeal is allowed, under such rules as may be prescribed by the proper courts. Appeals under this section shall be heard by the Supreme Court of the United States at the earliest possible time and shall take precedence over all other matters not of a like character. This section shall not be construed to be in derogation of any right of direct appeal to the Supreme Court of the United States under existing provisions of law.

Time limitation.

Record and docketing in Supreme Court.

Precedence over other matters.

Injunctions suspending, etc., Act of Congress upon constitutional grounds, determination by three-judge court.

SEC. 3. No interlocutory or permanent injunction suspending or restraining the enforcement, operation, or execution of, or setting aside, in whole or in part, any Act of Congress upon the ground that such Act or any part thereof is repugnant to the Constitution of the United States shall be issued or granted by any district court of the United States, or by any judge thereof, or by any circuit judge acting as district judge, unless the application for the same shall be presented to a circuit or district judge, and shall be heard and determined by three judges, of whom at least one shall be a circuit judge. When any such application is presented to a judge, he shall immediately request the senior circuit judge (or in his absence, the presiding circuit judge) of the circuit in which such district court is located to designate two other judges to participate in hearing and determining such application. It shall be the duty of the senior circuit judge or the presiding circuit judge, as the case may be, to designate immediately two other judges from such circuit for such purpose, and it shall be the duty of the judges so designated to participate in such hearing and determination. Such application shall not be heard or determined before at least five days' notice of the hearing has been given to the Attorney General and to such other persons as may be defendants in the suit: *Provided*, That if of opinion that irreparable loss or damage would result to the petitioner unless a temporary restraining order is granted, the judge to whom the application is made may grant such temporary restraining order at any time before the hearing and determination of the application, but such temporary restraining order shall remain in force only until such hearing and determination upon notice as aforesaid, and such temporary restraining order shall contain a specific finding, based upon evidence submitted to the court making the order and identified by reference thereto, that such irreparable loss or damage would result to the petitioner and specifying the nature of the loss or damage. The said court may, at the time of hearing such application, upon a like finding, continue the temporary stay or suspension, in whole or in part, until decision upon the application. The hearing upon any such application for an interlocutory or permanent injunction shall be

Composition of court, procedure, etc.

Notice to Attorney General, etc.

Proviso.
Temporary restraining order to prevent irreparable loss.

Finding.

given precedence and shall be in every way expedited and be assigned for a hearing at the earliest practicable day. An appeal may be taken directly to the Supreme Court of the United States upon application therefor or notice thereof within thirty days after the entry of the order, decree, or judgment granting or denying, after notice and hearing, an interlocutory or permanent injunction in such case. In the event that an appeal is taken under this section, the record shall be made up and the case docketed in the Supreme Court of the United States within sixty days from the time such appeal is allowed, under such rules as may be prescribed by the proper courts. Appeals under this section shall be heard by the Supreme Court of the United States at the earliest possible time and shall take precedence over all other matters not of a like character. This section shall not be construed to be in derogation of any right of direct appeal to the Supreme Court of the United States under existing provisions of law.

Direct appeal to Supreme Court.

Precedence over other matters.

SEC. 4. Section 13 of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 17), is hereby amended to read as follows:

28 U. S. C. § 17.

"SEC. 13. Whenever any district judge by reason of any disability or absence from his district or the accumulation or urgency of business is unable to perform speedily the work of his district, the senior circuit judge of that circuit, or, in his absence, the circuit justice thereof, shall designate and assign any district judge of any district court within the same judicial circuit to act as district judge in such district and to discharge all the judicial duties of a judge thereof for such time as the business of the said district court may require. Whenever it is found impracticable to designate and assign another district judge within the same judicial circuit as above provided and a certificate of the needs of any such district is presented by said senior circuit judge or said circuit justice to the Chief Justice of the United States, he, or in his absence the senior associate justice, shall designate and assign a district judge of an adjoining judicial circuit if practicable, or if not practicable, then of any judicial circuit, to perform the duties of district judge and hold a district court in any such district as above provided: *Provided, however*, That before any such designation or assignment is made the senior circuit judge of the circuit from which the designated or assigned judge is to be taken shall consent thereto. All designations and assignments made hereunder shall be filed in the office of the clerk and entered on the minutes of both the court from and to which a judge is designated and assigned, as well as on the minutes of the Supreme Court of the United States, to the clerk of which both of such other clerks shall immediately report the fact and period of assignment."

Assignment of another judge within circuit, to a district during disability, etc.

Assignment of district judges outside own districts by Chief Justice.

Proviso. Consent by senior circuit judge.

Official entries of assignments.

SEC. 5. As used in this Act, the term "court of the United States" means the courts of record of Alaska, Hawaii, and Puerto Rico, the United States Customs Court, the United States Court of Customs and Patent Appeals, the Court of Claims, any district court of the United States, any circuit court of appeals, and the Supreme Court of the United States; the term "district court of the United States" includes the District Court of the United States for the District of Columbia; the term "circuit court of appeals" includes the United States Court of Appeals for the District of Columbia; the term "circuit" includes the District of Columbia; the term "senior circuit judge" includes the Chief Justice of the United States Court of Appeals for the District of Columbia; and the term "judge" includes justice.

Terms defined.

Approved, August 24, 1937.

[CHAPTER 755]

AN ACT

August 24, 1937
[H. R. 8174]
[Public, No. 353]

To make available to each State which enacted in 1937 an approved unemployment-compensation law a portion of the proceeds from the Federal employers' tax in such State for the year 1936.

Unemployment compensation.
49 Stat. 640
42 U. S. C., Supp. II, § 1103.
Payments authorized to each State which in 1937 enacted an approved compensation law.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated for payment to the unemployment fund of each State or Territory which was not certified by the Social Security Board under section 903 of the Social Security Act on December 31, 1936, but which enacted in the year 1937 an unemployment-compensation law approved by the Social Security Board under such section, an amount equal to 90 per centum of the proceeds of the tax paid on or before January 31, 1938, with respect to employment in such State or Territory during the calendar year 1936 under title IX of such Act. Out of the sums appropriated therefor, the Secretary of the Treasury shall pay such amount, through the Division of Disbursement of the Treasury Department, to each such State unemployment fund. The terms used in this Act shall have the same meaning as identical terms in title IX of the Social Security Act.

Meaning of terms.

Approved, August 24, 1937.

[CHAPTER 756]

JOINT RESOLUTION

August 24, 1937
[S. J. Res. 207]
[Pub. Res., No. 69]

Expressing the views of the Congress as to a program for the relief and benefit of agriculture.

Program for relief and benefit of agriculture.
Preamble.

Whereas the whole Nation suffers when agriculture is depressed; and

Whereas the Nation has felt and still feels the unfavorable economic consequences of two different kinds of misfortune in agriculture; and

Whereas the first of these misfortunes was the ruinous decline in farm prices from 1929 to 1932; and

Whereas the second kind of misfortune was the drought of 1934 followed by the drought of 1936; and

Whereas a permanent farm program should (a) provide not only for soil conservation but also for developing and improving the crop-adjustment methods of the Agricultural Adjustment Act, (b) protect agriculture and consumers against the consequences of drought, and (c) safeguard farmers and the business of the Nation against the consequences of farm-price decline; and

Whereas it is the sense of Congress that the permanent farm legislation should be based upon the following fundamental principles:

(1) That farmers are entitled to their fair share of the national income;

(2) That consumers should be afforded protection against the consequences of drought, floods, and pestilence causing abnormally high prices by storage of reserve supplies of big crop years for use in time of crop failure;

(3) That if consumers are given the protection of such an ever-normal granary plan, farmers should be safeguarded against undue price declines by a system of loans supplementing their national soil-conservation program; and

(4) That control of agricultural surpluses above the ever-normal granary supply is necessary to safeguard the Nation's investment in loans and to protect farmers against a price collapse due to bumper yields resulting in production beyond all domestic and foreign need.

(5) That the present Soil Conservation Act should be continued, its operations simplified, and provision made for reduced payments to large operators on a graduated scale to promote the interest of individual farming; 16 U. S. C., Supp. II, §§ 590a–590q.

(6) That, linked with control of agricultural surpluses, there should be research into new uses for agricultural commodities and the products thereof and search for new uses, new outlets, and new markets, at home and abroad;

(7) That provision should be made for applications to the Interstate Commerce Commission for correction of discriminations now existing against agricultural products in the freight-rate schedules.

Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That abundant production of farm products should be a blessing and not a curse, that therefore legislation carrying out the foregoing principles will be first to engage the attention of the Congress upon its reconvening, and that it is the sense of the Congress that a permanent farm program based upon these principles should be enacted as soon as possible after Congress reconvenes. Legislation concerning, to engage Congress upon reconvening.

Approved, August 24, 1937.

[CHAPTER 757]

AN ACT

August 25, 1937
[H. R. 8245]
[Public, No. 354]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes, namely: Third Deficiency Appropriation Act, fiscal year 1937.

TITLE I—GENERAL APPROPRIATIONS

General appropriations.

LEGISLATIVE

Legislative.

SENATE

Senate.

To pay to Ewilda G. Robinson, widow of Honorable Joseph T. Robinson, late a Senator from the State of Arkansas, $10,000. Joseph T. Robinson. Pay to widow.

To pay Edward J. Trenwith, as compensation for compiling a revised supplement to the compilation entitled "Treaties, conventions, international acts, and protocols, between the United States and other powers", to include treaties, conventions, important protocols, and international acts to which the United States may have been a party since March 4, 1923, under resolution of the Senate (S. Res. 132, Seventy-fifth Congress, first session), fiscal year 1938, $2,500. Edward J. Trenwith. Payment to.

Office of Sergeant at Arms and Doorkeeper: For an amount required to increase the compensation of the Secretary of the Majority and the Secretary of the Minority $1,000 each per annum so long as the positions are held by the present incumbents, fiscal year 1938, $2,000. Secretary of Majority and Secretary of Minority, salary increases. *Ante*, p. 172.

Senate Document Room: For the amount required from September 1, 1937, to June 30, 1938, inclusive, to increase the compensation of Superintendent, Document Room, salary increase. *Ante*, p. 170.

the Superintendent of the Senate Document Room at the rate of $1,040 per annum so long as the position is held by the present incumbent, $867.

Senate kitchens and restaurants, repairs, etc.

Senate kitchens and restaurants: For repairs, improvements, and equipment for the Senate Restaurant, Capitol Building, including personal and other services, fiscal years 1937 and 1938, $12,300, to be expended by the Architect of the Capitol.

House of Representatives.

HOUSE OF REPRESENTATIVES

William P. Connery, Jr. Pay to widow.

For payment to the widow of William P. Connery, Junior, late a Representative from the State of Massachusetts, $10,000.

Philip A Goodwin. Pay to widow.

For payment to the widow of Philip A. Goodwin, late a Representative from the State of New York, $10,000.

Theodore A. Peyser. Pay to sister.

For payment to Josephine Dryer, sister of Theodore A. Peyser, late a Representative from the State of New York, $10,000.

The three foregoing sums to be disbursed by the Sergeant at Arms of the House of Representatives.

Clerk's office, salary increases. *Ante*, p. 174.

Office of the Clerk: For the additional amount required from August 1, 1937, to June 30, 1938, inclusive, to increase the compensation of the following positions at the respective annual rates so long as they are held by the respective present incumbents: Disbursing clerk, $1,040; assistant disbursing clerk, $780; assistant enrolling clerk, $720; stenographer to the Clerk, $520; in all, $2,805.

Committee employees. *Ante*, p. 174.

Committee employees: For a janitor to the Committee on Education and an additional janitor to the Committee on Ways and Means from August 1, 1937, to June 30, 1938, inclusive, at the rate of $1,260 each per annum, $2,310.

Committee on Appropriations. Assistant clerks.

For the amount required from September 1, 1937, to June 30, 1938, inclusive, to increase the compensation of the five senior assistant clerks of the Committee on Appropriations so long as the positions are held, respectively, by the present incumbents thereof, at such additional respective annual rates as may be fixed by the chairman with the approval of the committee; and for an additional assistant clerk to such committee at not to exceed $4,500 per annum, such compensation to be fixed in the same manner; fiscal year, 1938, $7,300.

House Press Gallery, assistant to Superintendent. *Ante*, p. 175.

Office of Doorkeeper: For an additional assistant to the Superintendent of the House Press Gallery at the rate of $2,400 per annum, from August 1, 1937, to June 30, 1938, inclusive, $440 plus the unexpended balance of the amount contained in the Legislative Branch Appropriation Act, 1938, for a press-gallery page, which is hereby made available for the foregoing purpose.

Superintendent, Document Room, salary increase. *Ante*, p. 176.

For the amount required from September 1, 1937, to June 30, 1938, inclusive, to increase the compensation of the Superintendent of the Document Room at the rate of $1,040 per annum so long as the position is held by the present incumbent, $867.

Contested-election expenses. J. Will Taylor.

Contested-election expenses: For payment to J. Will Taylor, contestee, for expenses incurred in the contested-election case of Rutherford versus Taylor, as audited and recommended by the Committee on Elections Numbered 1, $550.50, to be disbursed by the Clerk of the House.

United States Constitution Sesquicentennial Commission. Administrative expenses. 49 Stat. 1392.

UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

For carrying out the provisions of the public resolution entitled "Joint resolution to enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes", approved June 1, 1936 (49

Stat. 1392) as amended by the Act approved August 19, 1937, fiscal year 1938, to remain available until December 31, 1939, $100,000, together with the unexpended balance provided for this purpose in the First Deficiency Act of June 22, 1936.

Ante, p. 694

49 Stat. 1599.

ARCHITECT OF THE CAPITOL

Architect of the Capitol.

Capitol Building: For purchase and installation of steel shelving for the Senate Document Room, in room B2, Senate Office Building, fiscal year 1938, $850.

Senate Document Room, shelving.

Library Building and Grounds: Not to exceed $18,000 of the appropriations heretofore made for the construction of the Annex, Library of Congress, is hereby made available for the construction of a fireproof bookstack, with necessary appurtenances, for the Hispanic room in the Library of Congress.

Library of Congress, Hispanic room.
Ante, p. 180.

GOVERNMENT PRINTING OFFICE

Government Printing Office.

For payment to William Madden, Preston L. George, and William S. Houston, and on account of Samuel Robinson, messengers on night duty during the first session of the Seventy-fifth Congress, $900 each; in all, $3,600, to be paid from the appropriation for printing and binding for Congress for the fiscal year 1938; such sum on account of Samuel Robinson to be paid in equal amounts to Mary E. Adams and Nettie Bullas, nieces of such person.

Designated messengers on night duty.

Ante, p. 184.

Samuel Robinson, payment to nieces.

INDEPENDENT ESTABLISHMENTS

Independent Establishments.

EXECUTIVE OFFICE

Executive Office.

Executive Mansion and Grounds: For an additional amount for the care, maintenance, repairs, and alteration of the Executive Mansion, including the same objects specified under this head in the Independent Offices Appropriation Act, 1938, to be expended as the President may determine notwithstanding the provisions of any other Act, $17,000.

Executive Mansion and Grounds, maintenance.
Ante, p. 330.

CIVILIAN CONSERVATION CORPS

Civilian Conservation Corps.

The limitation of $200,000 on the amount that may be expended for salaries and expenses of the Office of the Director from the appropriation for the Civilian Conservation Corps contained in the public resolution entitled "Joint resolution making appropriations for the fiscal year ending June 30, 1938, for the Civilian Conservation Corps, the Railroad Retirement Account, and other activities, and for other purposes", approved July 1, 1937, is hereby increased to $255,000.

Director's office, limitation increased.

Ante, p. 470.

ELECTRIC HOME AND FARM AUTHORITY

Electric Home and Farm Authority.

The paragraph under this caption in the Independent Offices Appropriation Act, 1938, is hereby amended by striking out the sum "$300,000" and inserting in lieu thereof the sum "$400,000".

Appropriation increased.
Ante, p. 348.

FEDERAL COMMUNICATIONS COMMISSION

Federal Communications Commission.

Salaries and expenses: For an additional amount for salaries and expenses of the Federal Communications Commission, fiscal year 1938, including the same objects specified under this head in the Independent Offices Appropriation Act, 1938, and including reimbursement to ships of the United States for charges incurred by such ships in transmitting information in compliance with section

Salaries and expenses.
Ante, p. 334.

Transmission of information.
Ante, p. 195.

Proviso. Personal services in the District.

357 of the Communications Act of 1934, as amended, $113,000: *Provided*, That the limitation of $1,050,000 as the amount that may be expended for the personal services in the District of Columbia from the appropriation under this head in the Independent Offices Appropriation Act, 1938, is hereby increased to $1,077,900.

Study of radio requirements for ship navigation.

Special study of radio requirements necessary for ships navigating the Great Lakes and inland waters of the United States: To enable the Federal Communications Commission to study and report to Congress the radio requirements necessary or desirable for safety purposes for ships navigating the Great Lakes and the inland waters of the United States, as provided in section 15 of the Act entitled "An Act to amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes", approved May 20, 1937 (50 Stat. 189–198), including personal services in the District of Columbia and elsewhere; travel expenses, supplies and equipment, and such other contingent and miscellaneous expenses as may be necessary; fiscal year 1938; $20,000.

Ante, pp 189–198.

Federal Housing Administration.

FEDERAL HOUSING ADMINISTRATION

Administrative expenses.
Ante, p. 350.

The paragraph in the Independent Offices Appropriation Act, 1938, under the caption "Federal Housing Administration" is hereby amended by striking out the words and sum "not to exceed $10,000,000" and inserting in lieu thereof "not to exceed $5,000,000 of the mutual mortgage insurance fund and $5,000,000".

Great Lakes Exposition.

GREAT LAKES EXPOSITION

Participation expenses.
Ante, p. 61.

For an additional amount for the expenses of participation of the Government of the United States in the Great Lakes Exposition as provided for by Public Resolution Numbered 23, approved April 12, 1937, fiscal year 1938, $75,000.

National Capital Park and Planning Commission.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Salaries and expenses.
46 Stat. 485; 49 Stat. 1602.

Not to exceed $10,000 of the unobligated balance of the appropriation of $200,000, fiscal year 1937, for the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of section 4 of the Act approved May 29, 1930 (46 Stat. 482), contained in the First Deficiency Appropriation Act, fiscal year 1936, is hereby continued available for the same purpose until June 30, 1938.

National Labor Relations Board.

NATIONAL LABOR RELATIONS BOARD

Salaries and expenses, 1937.

49 Stat. 1177.

Salaries and expenses: For an additional amount for salaries and expenses of the National Labor Relations Board, fiscal year 1937, including the same objects specified under this head in the Independent Offices Appropriation Act, 1937, $15,000.

Fiscal year 1938.

Ante, p. 339.

Salaries and expenses: For an additional amount for salaries and expenses of the National Labor Relations Board for the fiscal year 1938, including the same objects specified under this head in the Independent Offices Appropriation Act, 1938, $1,735,000.

Printing and binding.
Ante, p. 339.

Printing and binding: For an additional amount for all printing and binding for the National Labor Relations Board for the fiscal year 1938, including the same limitations and provisions under this head in the Independent Offices Appropriation Act, 1938, $50,000.

SOCIAL SECURITY BOARD

Social Security Board.

Salaries and expenses: For an additional amount for the Executive Director of the Social Security Board to make the salary $9,500 per annum, fiscal year 1938, $500; payable from the appropriation for "Salaries and Expenses", Social Security Board, fiscal year 1938.

Executive Director, salary.

Ante, p. 343.

TENNESSEE VALLEY AUTHORITY

Tennessee Valley Authority.

Tennessee Valley Authority Fund: The appropriation under this head for the fiscal year 1938, contained in the Second Deficiency Appropriation Act, fiscal year 1937, shall, in addition to the objects specified under that head, be available for the reconstruction and relocation of the George Sam Houston Bridge across the Tennessee River at Guntersville, Alabama.

George Sam Houston Bridge, reconstruction, etc.
Fund available.
Ante, p. 217.

THOMAS JEFFERSON MEMORIAL COMMISSION

Thomas Jefferson Memorial Commission.

For the purposes authorized under the provisions of the Act approved June 3, 1936 (49 Stat. 1397), entitled "An Act to authorize the execution of plans for a permanent memorial to Thomas Jefferson", fiscal year 1938, $20,000, including payment of obligations heretofore incurred in the fiscal years 1937 and 1938.

Expenses.
49 Stat. 1397.

UNITED STATES GOLDEN GATE INTERNATIONAL EXPOSITION COMMISSION

United States Golden Gate International Exposition Commission.

For carrying into effect the provisions of the public resolution entitled "Joint resolution providing for the participation of the United States in the world's fair to be held by the San Francisco Bay Exposition, Incorporated, in the city of San Francisco during the year 1939", approved July 9, 1937, $1,500,000, to remain available until the termination of the Commission.

Participation expenses.
Ante, p. 488.

UNITED STATES MARITIME COMMISSION

United States Maritime Commission.

In addition to the contracts which may be entered into under funds available to the United States Maritime Commission for carrying out the provisions of the Merchant Marine Act, 1936, the Commission is authorized to enter into contracts for further carrying out the provisions of such Act in an amount not to exceed $115,000,000.

Construction fund; contracts authorized.
49 Stat. 1985.

Out of funds available to the Commission, not to exceed $75,000 may be expended, including payment for obligations heretofore incurred, for the employment on a contract or fee basis of persons, firms, and corporations for the performance of special services, including legal services, deemed necessary by the Commission, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5): *Provided further*, That such section 3709 shall not apply hereafter to any purchase by or service rendered to the Commission where the aggregate amount involved does not exceed $100.

Expenses.

R. S. § 3709.
41 U. S. C. § 5.

Proviso.
Minor purchases.

UNITED STATES NEW YORK WORLD'S FAIR COMMISSION

United States New York World's Fair Commission.

For carrying into effect the provisions of the Public Resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair 1939", approved July 9, 1937, $3,000,000, to remain available until the termination of the Commission.

Participation expenses.
Ante, p. 493.

DISTRICT OF COLUMBIA

District of Columbia.

Survey of tax structure, District of Columbia: For the employment of clerical services in connection with a survey and study of the entire tax structure of the District of Columbia in accordance with the provisions of title VII, section 3, of the Act entitled "An

Survey of tax structure.
Ante, p. 693.

Act to provide additional revenue for the District of Columbia, and for other purposes", approved August 17, 1937, fiscal year 1938, $5,000.

Office of superintendent of weights, etc., contingent expenses.
Ante, p. 361.

Office of superintendent of weights, measures, and markets: For an additional amount for contingent expenses for the purpose of making emergency repairs to the municipal fish market, including relocation of toilet facilities, fiscal year 1938, $13,000.

Public schools.
Jefferson Memorial Junior High.
Ante, p. 371.

Public Schools: The authorization for the acquisition of a site for the Jefferson Memorial Junior High School and Library contained in the Act making appropriations for the fiscal year 1938, approved June 29, 1937, shall not be available for the purchase of a site prior to April 1, 1938.

District Training School.

District Training School: For an additional amount for repairs and improvements to buildings and grounds for the purpose of repairing a bridge across the Little Patuxent River on the grounds of the District Training School near Laurel, Maryland, fiscal year 1938, $4,500.

Supreme Court, D. C., miscellaneous expenses.

Miscellaneous expenses, Supreme Court, District of Columbia: For an additional amount for such miscellaneous expenses as may be authorized by the Attorney General for the Supreme Court of the District of Columbia and its officers, including the same objects specified under this head in the District of Columbia Appropriation Act for the fiscal year 1937, $2,706.69.

49 Stat. 1875.

Industrial Home School.

Industrial Home School: For an additional amount for repairs and improvements to buildings and grounds for the purpose of repairing boilers, fiscal year 1938, $2,000.

Saint Elizabeths Hospital.

Saint Elizabeths Hospital: For an additional amount for support of indigent insane of the District of Columbia in Saint Elizabeths Hospital as provided by law, fiscal year 1937, $39,000.

Assistance against old-age want.
Sum transferred.
Ante, p. 383.

Assistance against old-age want: The sum of $75,000 is hereby transferred from the appropriation "Emergency Relief of Residents, District of Columbia, 1938", to the appropriation "Assistance Against Old-age Want, District of Columbia, 1938".

Judgments, payment of.
Charles R. Guthrie.

Judgments: For the payment of final judgments, including costs, rendered against the District of Columbia, as set forth in House Document Numbered 336, Seventy-fifth Congress, $4,088.82, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment.

Washington Petroleum Products, Inc., refunding excess tax.

For the payment of final judgment, including costs, rendered against the District of Columbia, as set forth in House Document Numbered 283, Seventy-fifth Congress, $1,990.64, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgment, as provided by law, from the date the same became due until the date of payment, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments.

43 Stat. 106.

Sherwood Brothers, Inc., refunding excess tax.

For payment of the final judgment rendered against the District of Columbia, as set forth in Senate Document Numbered 97, Seventy-fifth Congress, $4,206.19, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat., p. 106), and accretions by repayment of assessments.

43 Stat. 106.

Settlement of claims.

Settlement of claims: For the payment of the claims approved by the Commissioners under and in accordance with the provisions of

the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929, as amended by the Act approved June 5, 1930, and certified to the Seventy-fifth Congress in House Documents Numbered 280 and 332, $900.

45 Stat. 1160; 46 Stat. 500.

Audited claims: For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), being for the service of the fiscal year 1934 and prior fiscal years:

Audited claims, payment of.

18 Stat. 110. 31 U. S. C. § 713.

Refund of assessments, District of Columbia, 1933 and 1934, $46.12;

Coroner's office, District of Columbia, 1928, $12.

In all, audited claims, $58.12.

Division of expenses: The foregoing sums for the District of Columbia shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia appropriations acts for the respective fiscal years for which such sums are provided.

Division of expenses.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

BUREAU OF PLANT INDUSTRY

Plant Industry Bureau.

Dry-land agriculture: For an additional amount for dry-land agriculture investigations, with special reference to the improvement and development of grasses and other forage plants suitable for use under subhumid, semiarid, or dry-land conditions, including the purchase of land, construction of dam and reservoir, installation of distribution and irrigation system, fencing, clearing, and leveling of land, and other necessary expenses, at the United States Southern Great Plains Field Station, Woodward, Oklahoma, fiscal year 1938, $76,000: *Provided*, That not to exceed $18,000 of this amount may be expended for the purchase of land in connection with these investigations.

Dry-land agriculture.
Ante, p. 408.

Proviso.
Purchase of land.

BUREAU OF DAIRY INDUSTRY

Dairy Industry Bureau.

The limitation of $313,020 on the amount which may be expended for personal services in the District of Columbia, contained in the Department of Agriculture Appropriation Act, 1938, under this head, is hereby increased to $334,860.

Personal services.
Ante, p. 407.

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES, DEPARTMENT OF AGRICULTURE

Conservation and use of agricultural land resources.

The provision in the item entitled "Conservation and Use of Agricultural Land Resources, Department of Agriculture", contained in the Department of Agriculture Appropriation Act, fiscal year 1938, making funds available under this head for "the purchase of seeds, fertilizers, or any other farming materials and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary of Agriculture in the 1937 programs, for the reimbursement of the Tennessee Valley Authority for fertilizers heretofore or hereafter furnished by it to the Secretary of Agriculture for such purpose, and for the payment of all expenses necessary in making such grants including all or part of the costs incident to the delivery thereof", is hereby made applicable also to the 1938 programs under the Soil Conservation and Domestic Allotment Act of February 29, 1936 (50 Stat. 430–431).

Provisions extended.
Ante, p. 430.

Sugar Act of 1937.

THE SUGAR ACT OF 1937

Administrative expenses.
Post, p. 903.
Proviso.
Availability.

To enable the Secretary of Agriculture to carry into effect the provisions of the Sugar Act of 1937, fiscal year 1938, $250,000: *Provided*, That such sum shall become available when such Act becomes a law.

Bankhead-Jones Farm Tenant Act.

THE BANKHEAD-JONES FARM TENANT ACT

Farm tenancy, expenses.
Ante, p. 522.
Retirement of submarginal land.
Ante, p. 525.

To enable the Secretary of Agriculture to carry out the provisions of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937, $10,000,000 as authorized by title I of such Act relating to farm tenancy, and $10,000,000 as authorized by title III of such Act relating to the development of a program of land conservation and land utilization including the retirement of submarginal lands; in all, fiscal year 1938, $20,000,000.

International production control committees.
Expenses.
Ante, p. 432.

INTERNATIONAL PRODUCTION CONTROL COMMITTEES

The limitation in the amount which the Secretary of Agriculture may expend for the objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1938, from the funds available to the Agricultural Adjustment Administration, is hereby increased from $7,500 to $10,000.

PRICE ADJUSTMENT PAYMENT TO COTTON PRODUCERS

Price adjustment payment to cotton producers.
49 Stat. 774.

Notwithstanding any other provisions of section 32 of Public Law Numbered 320, Seventy-fourth Congress, as amended, not to exceed $65,000,000 of the funds available under said section 32 in each of the fiscal years 1938 and 1939 shall be available (at such times and in such amounts as the Secretary of Agriculture may determine) until expended for a price-adjustment payment, upon such terms and conditions as the Secretary of Agriculture may determine, with respect to the 1937 cotton crop to cotton producers who have complied with the provisions of the 1938 agricultural adjustment program formulated under the legislation contemplated by Senate Joint Resolution Numbered 207, Seventy-fifth Congress. Such payments to any producer shall be at a rate per pound equal to the difference between 12 cents per pound and the average price of seven-eighths Middling cotton on the ten designated spot cotton markets on the dates of sale of such cotton, but in no case shall exceed 3 cents per pound. The bases for any such payment, or the amount thereof, when officially determined in conformity with rules prescribed by the Secretary of Agriculture shall be reviewable only by the Secretary of Agriculture.

Terms and conditions.

Bases of payments.

DEPARTMENT OF COMMERCE

Department of Commerce.

Secretary's office.

OFFICE OF THE SECRETARY

Accident Prevention Conference, General Committee, expenses.
Ante, p. 631.

General Committee of Accident Prevention Conference: For salaries and expenses of the general committee of the Accident Prevention Conference, authorized in the Act entitled "An Act to advance a program of national safety and accident prevention", including personal services in the District of Columbia and elsewhere, printing and binding, traveling expenses, and all other expenses authorized in said Act, fiscal year 1938, $17,500.

Traveling expenses.
Ante, p. 283.

Traveling expenses: The amount appropriated in the Department of Commerce Appropriation Act, 1938, for traveling expenses, Department of Commerce, is hereby increased by $360,000 by transfer of the following amounts from the respective appropriations in such Act under the Bureau of Air Commerce: Establishment of air-navi-

Amount increased by transfers of designated funds.

gation facilities, $126,000; maintenance of air-navigation facilities, $160,000; aircraft in commerce, $45,000; and safety and planning, $29,000.

BUREAU OF LIGHTHOUSES

Bureau of Lighthouses

Special projects, vessels, and aids to navigation: For an additional amount for constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service, $20,000; and for establishing and improving aids to navigation and other works, $318,600; in all, $338,600, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1938.

Aids to navigation, special projects
Ante, p. 291.

DEPARTMENT OF THE INTERIOR

Interior Department.

OFFICE OF THE SECRETARY

Secretary's office.

For settling disputed land claims along the shores of the Potomac and Anacostia Rivers: To enable the Secretary of the Interior, with the approval of the National Capital Park and Planning Commission and the Attorney General of the United States, to conclude equitable adjustments of conflicting claims of title and interests between the United States of America and adverse claimants to rights and interests in lands, in, under, and adjacent to the Potomac River, the Anacostia River, or Eastern Branch and Rock Creek, including shores, submerged lands, and made lands, for the purpose of establishing the title of the United States as provided by the Act of April 27, 1912 (37 Stat. 93), and the Act of June 4, 1934 (48 Stat. 836), fiscal year 1938, $15,000.

Settling disputed land claims.

37 Stat. 93; 48 Stat. 836.

BUREAU OF INDIAN AFFAIRS

Indian Affairs Bureau.

Indian agency buildings: For improvement of the sewer system, Pawnee Agency, Oklahoma, fiscal year 1938, $15,000.

Pawnee Agency, Okla., sewers.

Purchase and transportation of Indian supplies: Not to exceed $30,000 of the unobligated balance of the appropriation under this head contained in the Interior Department Appropriation Act for the fiscal year 1936 is hereby made available for the same purpose for the fiscal year 1935.

Supplies, purchase and transportation
Balance, 1936 Act made available for fiscal year 1935.
49 Stat. 181.

Vehicles, Indian Service: The limitation of $160,000 on the amount of applicable appropriations for the Bureau of Indian Affairs contained in the Interior Department Appropriation Act, fiscal year 1937, that may be expended for the purchase and exchange of motor-propelled, passenger-carrying vehicles for the use of employees in the Indian field service, including the transportation of Indian school pupils, is hereby increased to $185,000.

Vehicles; limitation on expenditure increased.
49 Stat. 1764.

Santa Rosa Band of Indians, California: For the acquisition of land for the use and benefit of the Santa Rosa Band of Mission Indians in California, as authorized by the Act of April 17, 1937, fiscal year 1938, $500.

Santa Rosa Band of Mission Indians, Calif., land acquisition.
Ante, p. 69.

Payment to Sioux Indians for failure to receive allotments: For payment to various Sioux Indians of the Pine Ridge Reservation, South Dakota, or their heirs, on account of allotments of land to which they were entitled but did not receive, and for compensation of attorneys for services performed, all as authorized by the Act of June 29, 1937, fiscal year 1938, $79,038, to remain available until expended.

Sioux Indians of Pine Ridge Reservation, S. Dak.
Payment to.

Ante, p. 441.

Fort Peck, Montana, irrigation system: For continuing the construction of the irrigation system, Fort Peck Reservation, Montana, including the purchase or rental of equipment, tools, and appliances and the acquisition of rights-of-way and payment of damages when necessary, fiscal year 1938, $100,000, reimbursable.

Fort Peck, Mont., irrigation system.

Middle Rio Grande Conservancy district, N. Mex., expenses.

Maintenance assessments, Indian lands, Middle Rio Grande Conservancy District, New Mexico: For operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande Conservancy District, New Mexico, fiscal year 1935, $12,570, or so much thereof as may be necessary, reimbursable.

Reclamation Bureau

BUREAU OF RECLAMATION

Bonneville project. *Ante*, p. 731.

Bonneville project: For administering and carrying out the provisions of an Act entitled "An Act to authorize the completion, maintenance, and operation of the Bonneville project, for navigation and for other purposes", approved August 20, 1937, including necessary personal services in the District of Columbia and elsewhere; the purchase of easements and rights-of-way; purchase, exchange, and operation of automobiles; purchase of office furniture and equipment; stationery and office supplies; purchase of equipment and other supplies; rent, traveling expenses, telegraph and telephone expenses, printing and binding and all other necessary expenses, fiscal year 1938, $100,000.

Cabinet Gorge project, Idaho. *Ante*, p. 638.

Cabinet Gorge project, Idaho: For the purpose of carrying out the provisions of the Act of August 14, 1937 (Public, Numbered 279, Seventy-fifth Congress, first session), entitled "An Act to provide for studies and plans for the development of a hydroelectric power project at Cabinet Gorge, on the Clark Fork of the Columbia River, for irrigation pumping or other use, and for other purposes", $25,000.

Commission to investigate reclamation projects, expenses. *Ante*, p. 737.

Commission to investigate reclamation projects: For expenses and all necessary disbursements, including salaries, to be expended under the direction of the Secretary of the Interior, of the Commission authorized by the Act entitled "An Act to create a commission and to extend further relief to water users on United States reclamation projects and on Indian irrigation projects", fiscal year 1938, $30,000: *Provided*, That such sum shall not become available unless and until the aforesaid legislation is enacted into law.

Proviso. Availability.

Bureau of Mines.

BUREAU OF MINES

Helium plant, acquirement of land.

Acquirement of land, helium plant: For acquirement from Gilbert D. Landis of three hundred and thirty-one acres (more or less) of land in Potter County, Texas, for disposal thereon of wastes from the helium plant at Amarillo, Texas, fiscal year 1938, $10,000: *Provided*, That no part of this appropriation shall be expended until all claims against the United States in the case of Gilbert D. Landis against United States of America in the United States District Court for the Northern District of Texas are extinguished and valid title, free of encumbrances, to the three hundred and thirty-one acres (more or less) of land involved in said case vests in the United States of America: *Provided further*, That payment hereunder, together with any payments from other appropriations made by the United States on account of said claims, shall not exceed the amount of the judgment heretofore awarded in said case.

Provisos. Title, etc.

Limitation on payment.

National Park Service.

NATIONAL PARK SERVICE

Yosemite, Calif., addition. *Ante*, p. 485.

Yosemite National Park, California: For the acquisition of certain lands, including expenses incidental thereto, as set forth in the Act of Congress approved July 9, 1937 (Public, Numbered 195, Seventy-fifth Congress), there is hereby made available, not to exceed $2,005,000 of the unexpended balance of the appropriation contained in the Emergency Relief Appropriation Act of 1935, heretofore earmarked thereunder for that purpose, notwithstanding the reappropriating provisions with respect to such unexpended balance in section 1 of the Emergency Relief Appropriation Act of 1937.

Fund available. 49 Stat. 115.

Ante, p. 352.

Acquisition of land: For completing payment of awards in condemnation proceedings for the acquisition of certain lands to carry out the purposes of the Act of March 31, 1933 (48 Stat. 22), in areas designated by Executive Order Numbered 6542, dated December 28, 1933, the President is authorized to allocate not to exceed $192,568 from funds made available by reappropriation of unexpended balances by section 1 of the Emergency Relief Appropriation Act of 1937.

Acquisition of land. 48 Stat 22.

Reappropriation of balances.

Ante, p. 352.

Ackia National Memorial Commission and Battleground National Monument: The unexpended balance of the appropriation to carry out the provisions of the Act entitled "An Act to provide for the commemoration of the two-hundredth anniversary of the Battle of Ackia, Mississippi, and the establishment of the Ackia Battleground National Monument, and for other purposes", approved August 27, 1935, contained in the Supplemental Appropriation Act, fiscal year 1936, is continued available for the fiscal year 1938 in order to provide for the commemoration during that year of the two-hundredth anniversary of the Battle of Ackia.

Ackia Battleground National Monument, Miss. 49 Stat 897. Balance continued available.

49 Stat 1119.

Salaries and general expenses, public buildings and grounds in the District of Columbia, 1938: Of the appropriation of $7,137,280 for salaries and general expenses, public buildings and grounds in the District of Columbia, contained in the Interior Department Appropriation Act, 1938, not to exceed $24,000 may be expended for the construction of a steam line to connect the National Gallery of Art with the steam distribution system of the Central Heating Plant.

Public buildings and grounds, D. C.

Ante, p. 608.

National Gallery of Art, construction of steam line

OFFICE OF EDUCATION

Office of Education.

Cooperative vocational rehabilitation, residents of the District of Columbia: For an additional amount for personal services, printing and binding, travel and subsistence, and payment of expenses of training, placement, and other phases of rehabilitating disabled residents of the District of Columbia under the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia", approved February 23, 1929 (45 Stat. 1260), as amended by the Act approved April 17, 1937 (Public Act Numbered 41, Seventy-fifth Congress), fiscal year 1938, $10,000.

Cooperative vocational rehabilitation of disabled residents of District of Columbia.

45 Stat. 1260.

Ante, p. 69.

GOVERNMENT IN THE TERRITORIES

Government in the Territories.

Territory of Alaska: For an additional amount for the repair and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of the Act approved June 30, 1932 (48 U. S. C. 321a–321d), fiscal year 1935, $11.56.

Alaska. Roads, bridges, trails, etc., repair and maintenance. 48 U. S. C. §§ 321a-321d.

Government of the Virgin Islands: For an additional amount for salaries of the Governor and employees incident to the execution of the Act of March 3, 1917 (U. S. C., title 48, sec. 1391), fiscal year 1938, including the same objects specified under this head in the Interior Department Appropriation Act for the fiscal year 1938, $4,250.

Government of the Virgin Islands. Salaries, Governor and employees. 48 U. S. C. § 1391.

DEPARTMENT OF JUSTICE

Department of Justice.

CONTINGENT EXPENSES

Printing and binding: Not to exceed $30,000 may be transferred from the appropriation "Support of United States prisoners, 1937", to the appropriation "Printing and binding, Department of Justice and courts, 1937."

Printing and binding. Fund available. 49 Stat. 1331.

Federal Bureau of Investigation.
Claims for damages.

FEDERAL BUREAU OF INVESTIGATION

Claims for damages: For the payment of claims for damages to any person or damages to or loss of privately owned property caused by employees of the Federal Bureau of Investigation, acting within the scope of their employment, considered, adjusted, and determined by the Attorney General, under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (49 Stat. 1184), as fully set forth in Senate Document Numbered 106 of the Seventy-fifth Congress, $233.88.

49 Stat. 1184.
5 U. S. C., Supp. II, § 300b.

United States Supreme Court.
Salaries.

UNITED STATES SUPREME COURT

Salaries: For an additional amount for salaries, Supreme Court of the United States, including the same objects specified under this head in the Department of Justice Appropriation Act for the fiscal year 1938, $1,200.

Ante, p. 276.

United States Courts.
Northern Pacific Railway Company and others.
Salaries and expenses, prosecuting case against.
49 Stat. 1624.

MARSHALS, CLERKS, AND OTHER EXPENSES OF UNITED STATES COURTS

Case of the United States against the Northern Pacific Railway Company and Others: For an additional amount for "Salaries and expenses, case of Northern Pacific Railway Company and Others, 1936–1938", including the same objects specified under this head in the First Deficiency Appropriation Act, 1936, $79,000.

Marshals, etc.

Marshals, and so forth: For an additional amount for salaries, fees, and expenses of marshals, United States courts, including the same objects specified under this head in the Act making appropriations for the Department of Justice for the fiscal year 1931, $37.65.

46 Stat. 189.

Jurors and witnesses.
Ante, p. 279.

Fees of jurors and witnesses: The limitation upon the amount of the appropriation "Fees of jurors and witnesses, United States courts 1938", that may be expended for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General is hereby increased from $10,000 to $25,000.

Commissioners, etc.

Fees of commissioners: For an additional amount for fees of United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (U. S. C., title 18, sec. 591), fiscal year 1925, $550.25.

R. S. § 1014.
18 U. S. C. § 591.

Penal institutions.

PENAL INSTITUTIONS

Federal Industrial Institution for Women, Alderson, W. Va., buildings and equipment.

Buildings and equipment: For an additional amount for "Buildings and Equipment, Penal Institutions", for repairs and extension to the warehouse at the Federal Industrial Institution for Women, Alderson, West Virginia, $50,000, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct.

Support of prisoners.

Support of United States prisoners: For additional amounts for support of United States prisoners, including the same objects specified under this head in the Acts making appropriations for the Department of Justice for the following fiscal years:

45 Stat. 83.
46 Stat. 1329.

For 1929, $174.50;
For 1932, $477.61.

DEPARTMENT OF LABOR

Department of Labor.
Secretary's office.

OFFICE OF THE SECRETARY

Division of Labor Standards.

Salaries and expenses, Division of Labor Standards: For an additional amount for salaries and expenses in connection with the promotion of health, safety, employment, stabilization, and amicable

industrial relations for labor and industry, fiscal year 1938, including the same objects specified under this head in the Department of Labor Appropriation Act, 1938, $35,960, of which amount not to exceed $10,560 may be expended for personal services in the District of Columbia.

Ante, p. 297.

Traveling expenses: For an additional amount for all traveling expenses, except travel expenses incident to the deportation of aliens, under the Department of Labor, fiscal year 1938, including the same objects specified under this head in the Department of Labor Appropriation Act, 1938, $13,900.

Traveling expenses.

Ante, p. 298.

Printing and binding: For an additional amount for printing and binding for the Department of Labor, fiscal year 1938, including the same objects specified under this head in the Department of Labor Appropriation Act, 1938, $3,560.

Printing and binding.
Ante, p 298.

NAVY DEPARTMENT

Navy Department.

OFFICE OF THE SECRETARY

Secretary's office.

Claim for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922, as fully set forth in Senate Document Numbered 108 and House Document Numbered 316, Seventy-fifth Congress, $1,745.21.

Damage claims.

42 Stat. 1066.
34 U. S. C. § 599.

BUREAU OF YARDS AND DOCKS

Bureau of Yards and Docks.

Public works, Bureau of Yards and Docks: For the following public-works and public-utilities projects at a cost not to exceed the amount stated for each project, respectively:

Public works, etc.

Navy Yard, New York, New York: Improvement of facilities for battleship construction, $285,000 is hereby made available from the appropriation "Replacement of Naval Vessels, Construction and Machinery".

New York, N. Y.

Navy Yard, Philadelphia, Pennsylvania: Improvement of facilities for battleship construction, $250,000 is hereby made available from the appropriation "Replacement of Naval Vessels, Construction and Machinery".

Philadelphia, Pa.

Navy Yard, Mare Island, California: Replacement of paint and oil storage building and accessories, destroyed by fire, $275,000.

Mare Island, Calif.

Saint Inigoes, Maryland, Memorial: For acquisition of land and erection thereon of the memorial authorized by the Act approved June 15, 1937, $2,000.

Saint Inigoes, Md., Memorial.
Ante, p. 259.

The two sums immediately preceding this paragraph, together with unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

Disbursement and accounting.

REPLACEMENT OF NAVAL VESSELS

Replacement of naval vessels.

The appropriations for construction and machinery, and armor, armament, and ammunition, as contained in the appropriation for replacement of naval vessels appearing in the Naval Appropriation Act for the fiscal year 1938, approved April 27, 1937, are hereby made available, including the same objects and under the same conditions and limitations prescribed under these heads in said appropriation Act, for the commencement of one seaplane tender, one destroyer tender, one minesweeper, one submarine tender, one fleet tug, and one

Construction and machinery.

Ante, p. 114.

Specified auxiliary vessels.

Ante, p. 544.
Proviso.
Contracts.

oiler, as authorized by the Act approved July 30, 1937: *Provided*, That under the funds made available by this paragraph contracts shall not be made with private shipbuilders or orders placed with navy yards for more than two of such vessels and the cost of either shall not exceed the estimated cost thereof set forth on pages 524 and 525 of the hearings of the House Committee on Appropriations on the Third Deficiency Appropriation Bill for the fiscal year 1937.

Marine Corps.

MARINE CORPS

Marine Band, attendance, Grand Army encampment, 1937.
Ante, p 543.

For expenses of the United States Marine Band in attending the National Encampment of the Grand Army of the Republic to be held at Madison, Wisconsin, September 5 to 10, 1937, as authorized by the Act approved July 28, 1937, $7,500.

Post Office Department.

POST OFFICE DEPARTMENT

(Out of the Postal Revenues)

Second Assistant Postmaster General.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Contract Air-Mail Service.
49 Stat. 239.

Contract Air-Mail Service: For an additional amount for the inland transportation of mail by aircraft, including the same objects specified under this head in the Post Office Department Appropriation Act for the fiscal year 1936, $82,000.

Department of State.

DEPARTMENT OF STATE

Contingent expenses.
Ante, p. 262.

Contingent expenses: For an additional amount for contingent expenses, Department of State, fiscal year 1938, including the same objects specified under this head in the Department of State Appropriation Act, 1938, and including not to exceed $1,400 for the purchase and exchange of typewriters, adding machines, and other labor-saving devices, $8,000.

Payment to Government of Great Britain.
Ante, pp. 129, 134.

Payment to Government of Great Britain: For payment to the Government of Great Britain for the account of N. J. Moosa, $15.59; the Shanghai Electric Construction Company, Limited, $78.60; and the estate of Samuel Richardson, $1,000; in all, $1,094.19, as authorized by and in accordance with the Acts of May 6, 1937 (Public Acts Numbered 60, 63, and 75, Seventy-fifth Congress), $1,094.19.

Payment to Government of China.
Ante, pp. 130, 131, 132, 133.

Payment to Government of China: For payment to the Government of China for the account of Li Po-tien, $300; Ch'u Shih-hsiang (Cheu S. Ziang), $300; Ma Jui-hsiang (Mo Zung Poo), $300; Chang Hsi Ying, $500; Li Yingting (Li Ing Ding), $1,500; Ling Mau Mau, $1,500; Yao Ah-Ken, $1,500; Chiang Ah-erh (Tsiange Ah Erh), $1,500; and the family of Ts'ao Jung-K'uan (Dzao Yong Kwer), $1,500; in all, $8,900, as authorized by and in accordance with the Acts of May 6, 1937 (Public Acts Numbered 66, 67, 69, 70, 72, and 73, Seventy-fifth Congress), $8,900.

Payment to Government of Netherlands.
Ante, p. 129.

Payment to Government of Netherlands: For payment to the Government of the Netherlands for the account of the family of Miguel Paula, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 61, Seventy-fifth Congress), $3,500.

Payment to French Government.
Ante, p. 129.

Payment to French Government: For payment to the French Government for the account of Henry Borday, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 62, Seventy-fifth Congress), $1,000.

Payment to Government of Canada.
Ante, p. 130.

Payment to Government of Canada: For payment to the Government of Canada for the account of Janet Hardcastle Ross, as author-

ized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 64, Seventy-fifth Congress), $920.45.

Payment to Government of Chile: For payment to the Government of Chile for the account of Enriqueta Koch v. de Jeanneret, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 67, Seventy-fifth Congress), $2,000.

Payment to Government of Chile.
Ante, p. 130.

Payment to Government of Nicaragua: For payment to the Government of Nicaragua for the account of Mercedes V. de Williams and others, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 74, Seventy-fifth Congress), $18,508.55.

Payment to Government of Nicaragua.
Ante, p. 133.

Payment to Government of Dominican Republic: For payment to the Government of the Dominican Republic for the account of Mercedes Martinez Viuda de Sanchez, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 71, Seventy-fifth Congress), $500.

Payment to Government of Dominican Republic.
Ante, p. 132.

Payment to Government of Japan: To reimburse the Government of Japan in the amount of yen 156,798.39 ($48,000) together with such additional amount due to increases in rates of exchange as may be necessary to purchase this amount of yen, is [1] authorized by and in accordance with the Act of May 21, 1937 (Public Act Numbered 99, Seventy-fifth Congress), $48,000.

Payment to Government of Japan.
Ante, p. 199.

Payment to Mrs. M. N. Shwamberg and others: For payment to (1) Mrs. M. N. Shwamberg, as an act of grace, and without reference to the legal liability of the United States, as full indemnity for personal injuries sustained by her as the result of a collision between a public jinrikisha in which she was riding and a United States Marine Corps ambulance on Seymour Road, Shanghai, China, on January 31, 1935, Mexican $1,000; (2) the Country Hospital, Shanghai, China, for treatment furnished to Mrs. Shwamberg on account of this accident, Mexican $374.50; (3) Doctor Ed Birt, Shanghai, China, for medical treatment furnished Mrs. Shwamberg on account of this accident, Mexican $170; as authorized by the Act of May 6, 1937 (Private Act Numbered 70, Seventy-fifth Congress), $500, together with such additional amount due to increases in rates of exchange as may be necessary for this purpose.

Payment to Mrs. M. N. Shwamberg and others.
Post, p. 954.

Payment to Government of Mexico, and executors or administrators of estate of R. E. Fishburn, deceased: For payment to the Government of Mexico for the account of General Higinio Alvarez, $15,000, and to the executors or administrators of the estate of R. E. Fishburn, deceased, $5,000, in all $20,000, as authorized by and in accordance with the Act of May 6, 1937 (Public Act Numbered 68, Seventy-fifth Congress).

Payment to Government of Mexico, etc.
Ante, p. 131.

Payment to certain Foreign Service officers and employees: For payment of the sums of money authorized by and in accordance with the Act entitled "An Act for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war, catastrophes of nature, and other causes", approved June 22, 1937 (Private Act Numbered 170, Seventy-fifth Congress), $20,174.46.

Payment to certain Foreign Service officers and employees.
Post, p. 999.

Interest payments on American Embassy drafts: For payment, as authorized by Public Law Numbered 771, approved June 24, 1936, to the following individuals and corporations, or their attorneys in fact in the United States, of the amounts specified, representing interest at 4¾ per centum on certain drafts drawn on the Secretary of State by the American Embassies in Russia and Turkey and transfers which the Embassy in Turkey undertook to make by cable communications to the Secretary of State during the period from 1915

American Embassy drafts, interest payments.
49 Stat. 1896.

[1] So in original.

to 1920, payment of which was deferred: Credit Lyonnais, Paris, France, $3,569.35; Riggs National Bank, Washington, District of Columbia, $1,607.95; Brown Brothers and Company, New York, New York, $2,763.96; Bank of New York and Trust Company, New York, New York, $6,216.86; Berg Bergamali, Manchester, England, $36.36; and The Wiener Bank Verein, Berlin, Germany, $30,208.67; in all, $44,403.15.

Ambassadors and ministers, salaries
Ante, p. 263

Salaries of ambassadors and ministers: For an additional amount for salaries of ambassadors and ministers, fiscal year 1938, for the salary of an envoy extraordinary and minister plenipotentiary to Lithuania at $10,000 per annum, $8,333.34: *Provided*, That the appropriation for salaries of ambassadors and ministers, fiscal year 1938, shall be available for payment of the salary of an envoy extraordinary and minister plenipotentiary to Estonia and Latvia at $10,000 per annum.

Lithuania.

Proviso.
Estonia and Latvia.

Eleventh International Dairy Congress.
Ante, p. 249

Eleventh International Dairy Congress, Berlin, Germany: For the expenses of participation by the Government of the United States in the Eleventh International Dairy Congress, to be held in Berlin, Germany, in 1937, as authorized by and in accordance with Public Resolution Numbered 38 of the Seventy-fifth Congress, approved June 3, 1937, fiscal year 1938, $10,000.

International Pacific Salmon Fisheries Commission.
Post, p. 1355.

International Pacific Salmon Fisheries Commission: For the share of the United States of the expenses of the International Pacific Salmon Fisheries Commission, under the convention between the United States and Canada, concluded May 26, 1930, including personal services; traveling expenses; charter of vessels; purchase of books, periodicals, furniture, and scientific instruments; contingent expenses; rent in the District of Columbia and elsewhere; and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1938, $7,500.

Telecommunication Conference, Cairo, Egypt.
Ante, p. 272.

Telecommunication Conference, Cairo, Egypt: For an additional amount for Telecommunication Conference, Cairo, Egypt, 1937 and 1938, including the same objects specified under this head in the Department of State Appropriation Act, 1938, $30,000.

Interparliamentary Union.
49 Stat. 1315.

Interparliamentary Union: The unexpended balance of the appropriation for the Interparliamentary Union for the expenses of the American Group of the Interparliamentary Union made in the Department of State Appropriation Act, 1937, is hereby made available for the same purposes for the fiscal year 1938. The certificate of the president and executive secretary of the American Group of the Interparliamentary Union shall hereafter be final and conclusive upon the accounting officers in the auditing of all accounts of the American Group of the Interparliamentary Union.

Auditing of accounts.

Emergencies, Diplomatic and Consular Service.

Emergencies arising in the Diplomatic and Consular Service: For an additional amount to enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the Neutrality Act, to be expended pursuant to the requirement of section 291 of the Revised Statutes (U. S. C., title 31, sec. 107), fiscal year 1938, $500,000.

Ante, p. 121.
R. S. § 291.
31 U. S. C. § 107.

Inter-American Radio Conference, participation expenses.
Ante, p. 749.

5 U. S. C. §§ 631-652; 661-674.

Inter-American Radio Conference: For the expenses of participation by the United States in the Inter-American Radio Conference to be held in 1937 at Habana, Cuba, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting, trans-

lating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, fiscal year 1938, $10,000.

R. S. § 3709. 41 U. S. C. § 5.

Payment to Cecile C. Cameron: For payment to Cecile C. Cameron, widow of Alfred D. Cameron, late a Foreign Service officer of the United States at London, England, of one year's salary of her deceased husband who died while in the Foreign Service, as authorized by the Act approved August 14, 1937 (Private Act Numbered 293, approved August 14, 1937), fiscal year 1938, $4,400.

Cecile C. Cameron, payment to. *Post*, p. 1056.

Seventh World's Poultry Congress and Exposition: For the expenses of participation by the Government of the United States in the Seventh World's Poultry Congress and Exposition, to be held in the United States in 1939, as authorized by and in accordance with the public resolution of July 30, 1937, $100,000, to remain available until December 31, 1939.

Seventh World's Poultry Congress, etc. *Ante*, p. 550.

SPECIAL MEXICAN CLAIMS COMMISSION

Special Mexican Claims Commission: For the purpose of carrying into effect the provisions of the Act entitled "An Act to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24, 1934", approved April 10, 1935, and amended August 19, 1937, including personal services in the District of Columbia or elsewhere, without regard to the provisions of any statute relating to employment; rent in the District of Columbia or elsewhere; furniture; office supplies, and equipment, including law books and books of reference; stenographic reporting and translating services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); traveling expenses; transportation of things; printing and binding; and such other necessary expenses as may be authorized by the Secretary of State, $70,000, together with the unexpended balance of the appropriation made available for this purpose in the Second Deficiency Appropriation Act, fiscal year 1937, which unexpended balance is continued available until August 31, 1938.

Special Mexican Claims Commission. 49 Stat. 149.

Post, p. 783.

R. S. § 3709. 41 U. S. C. § 5.

Ante, p. 229.

TREASURY DEPARTMENT

Treasury Department.

OFFICE OF THE SECRETARY

Secretary's office.

Payments to Federal land banks on account of reductions in interest rate on mortgages: To enable the Secretary of the Treasury to pay each Federal land bank such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such land bank have been reduced during the fiscal year 1938, and prior thereto, in accordance with the provisions of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act (12 U. S. C. 771) as amended, $15,000,000.

Federal land banks, reductions in interest rate on loans.

12 U. S. C. § 771.

Payments to the Federal Farm Mortgage Corporation on account of reductions in interest rate on mortgages: To enable the Secretary of the Treasury to pay to the Federal Farm Mortgage Corporation such amount as the Governor of the Farm Credit Administration certifies to the Secretary of the Treasury is equal to the amount

Federal Farm Mortgage Corporation, payments on account of interest rate reductions.

by which interest payments on mortgages held by such Corporation have been reduced during the fiscal year 1938, in accordance with the provisions of section 32 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (12 U. S. C. 1016), as amended, such payments to be made quarterly, beginning as soon as practicable after October 1, 1937, $5.000,000.

12 U. S. C. § 1016

Quarterly payments

Subscription to capital stock, United States Housing Authority: To enable the Secretary of the Treasury to make payments on account of subscriptions to the capital stock of the United States Housing Authority in accordance with the provisions of the United States Housing Act of 1937, fiscal year 1938, to remain available until expended, $1,000,000.

U. S. Housing Authority, capital stock subscription.

Post, p 888

Claims for damages, operation of vessels, Coast Guard and Public Health Service: To pay claims for damages adjusted and determined by the Secretary of the Treasury under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and the Public Health Service, in sums not exceeding $3,000 in any one case", approved June 15, 1936, as fully set forth in Senate Document Numbered 104, Seventy-fifth Congress, $77.89.

Coast Guard, etc., vessels, damage claims resulting from operations of.
49 Stat. 1514.
14 U. S. C., Supp. II, § 71.

OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Accounts and Deposits Office.

Not to exceed $5,200 of the amount appropriated for "Contingent expenses, public moneys", in the Act making appropriations for the Treasury Department for the fiscal year 1938, may be transferred to the appropriation for "Salaries, Office of Commissioner of Accounts and Deposits, 1938".

Contingent expenses, public moneys; portion of funds for, transferred to Accounts and Deposits, 1938.
Ante, p. 140.

BUREAU OF NARCOTICS

Narcotics Bureau.

The appropriation for salaries and expenses, Bureau of Narcotics, contained in the Treasury Department Appropriation Act, 1938, is hereby made available for the payment of expenses in administering and enforcing the provisions of the Marihuana Tax Act of 1937.

Marihuana Tax Act of 1937, expenses.
Ante, pp. 144, 551.

COAST GUARD

Coast Guard.

That portion of the appropriation for pay and allowances, Coast Guard, contained in the Treasury Department Appropriation Act for 1938, reading "and two civilian instructors", is amended to read "and three civilian instructors".

Civilian instructors, number increased.
Ante, p. 145.

PUBLIC HEALTH SERVICE

Public Health Service.

Division of Venereal Diseases: The President is hereby authorized to allot to the Public Health Service, Treasury Department, for the fiscal year 1938, not to exceed $200,000 out of unexpended balances made available by sections 1 and 13 of the Emergency Relief Appropriation Act of 1937, for the purpose of continuing the operation and maintenance of the Hot Springs Transient Medical Center Infirmary located at Hot Springs National Park, Arkansas.

Hot Springs Transient Medical Center Infirmary, Ark.

Ante, pp. 352, 357.

National Cancer Institute: For carrying into effect the provisions of section 7 (b) of the National Cancer Institute Act, approved August 5, 1937, fiscal year 1938, $400,000, of which $200,000 shall be available for the purchase of radium.

National Cancer Institute.
Ante, p. 559.

OFFICE OF THE TREASURER OF THE UNITED STATES

Treasurer's office.

Refunding to National Bank Associations excess of duty: For refunding excess duty collected during the fiscal year 1937 and prior years authorized under section 547, title 12, United States Code, $276.36.

Refunding excess duty.

12 U. S. C. § 547.

The provision in the Treasury Department Appropriation Act for 1938 authorizing transfers to certain appropriations of the Treasury Department from funds available to the several agencies enumerated therein, to cover the expenses incurred on account of said agencies in the clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor, is hereby amended to authorize transfers to the same appropriations from funds available to the Civilian Conservation Corps and to corporations and banks under the supervision of the Federal Home Loan Bank Board, and the limitation contained in such Act on the total amount which may be transferred to such appropriations is hereby increased from $250,000 to $400,000.

Transfer provisions extended to funds available to Civilian Conservation Corps, etc.
Ante, p. 155.

PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

Procurement Division, Public Buildings Branch.

Sites and construction, public buildings, Act of May 25, 1926, as amended: For continuation or completion of construction in connection with any or all projects authorized under the provisions of sections 3 and 5 of the Public Buildings Act, approved May 25, 1926, and the Acts amendatory thereof approved February 24, 1928, and March 31, 1930 (U. S. C., title 40, secs. 341–349), within the respective limits of cost fixed for such project, there shall be available not to exceed $175,000 from any appropriations heretofore made for specific public-building projects under section 3 of the Act of May 25, 1926, as amended (U. S. C., title 40, secs. 341–349), or balances thereof which are unobligated upon the date of the approval of this Act, which appropriations or balances thereof shall be consolidated into the fund established by the provisions of the "Second Deficiency Act, fiscal year, 1930", out of appropriations made pursuant to section 5 of said Act of May 25, 1926, and shall be available to the same extent and for the same purposes as other moneys included in such fund.

Sites and construction.

*

44 Stat. 632; 49 Stat. 800.

40 U. S. C. § 341; Supp. II, § 345b.

Consolidation of funds.

Emergency construction of public buildings outside the District of Columbia: For emergency construction of public-building projects outside of the District of Columbia (including the acquisition, where necessary, by purchase, condemnation, exchange, or otherwise of sites and additional land for such buildings; the demolition of old buildings where necessary, and construction, remodeling, or extension of buildings; rental of temporary quarters during construction, including moving expenses; purchase of necessary equipment for buildings and such additional administrative expenses and salaries as may be required solely for the purpose of carrying out the provisions of this paragraph, there is hereby authorized to be appropriated a total amount of $70,000,000 for expenditure over a period of three years, toward which amount $22,500,000 is hereby appropriated; such projects, including the sites therefor, to be selected by the Secretary of the Treasury and the Postmaster General, acting jointly, from the public-building projects specified in House Report Numbered 1879, Seventy-third Congress, second session, as revised May 17, 1937; and the projects so selected shall be carried out within the respective estimates of proposed limits of cost specified in such revised report and those hereafter fixed by the Secretary of the Treasury and the Postmaster General under the provisions of this paragraph, except that the unobligated balance of the $2,500,000 fund established by the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1061), as augmented by the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat. 1638), shall be available for the augmentation of limits of cost of projects selected under the provisions of this paragraph in an amount not exceeding 10 per centum for any project in addition to a further sum of $500,000

Emergency construction outside the District.

Salaries.

Amount authorized for 3 years.

Joint selection of sites.

Limits of cost.

Fund established by Emergency Appropriation Act, 1935, etc.
48 Stat. 1061; 49 Stat. 1638.

Augmentations.

Provisos.
Unemployment relief

which is hereby appropriated for the same purposes as specified in this and previous Acts: *Provided*, That with a view to relieving country-wide unemployment the Secretary of the Treasury and the Postmaster General, in the selection of towns or cities in which buildings are to be constructed, shall endeavor to distribute the projects equitably throughout the country so far as may be consistent with the needs of the public service; and the Secretary of the Treasury and the Postmaster General may also select for prosecution under this program such projects not included in such revised report as in their judgment are economically sound and advantageous to the public service, including the purchase of property at 1212 Lake Shore Drive, Chicago, Illinois, at a cost not to exceed $450,000 and for the remodeling and furnishing thereof for the accommodation of Government activities: *Provided further*, That the Secretary of the Treasury is authorized to direct the preparation of all sketches, estimates, plans, and specifications (including supervision and inspection thereof), and to enter into all contracts necessary for carrying out the purposes of this paragraph: *Provided*, That the total obligations under the $70,000,000 program herein authorized shall not exceed $30,000,000 for the fiscal year 1938 but the Secretary of the Treasury is authorized to enter into contracts for any or all of the projects selected under this program in amounts not exceeding the respective estimated total costs of individual projects, and he is hereby authorized, when deemed by him desirable and advantageous, to employ, by contract or otherwise, the personal services of temporary professional, technical, or nontechnical employees to such extent as may be required to carry out the purposes of this paragraph, without reference to civil-service laws, rules, regulations, or to the Classification Act of 1923, as amended: *Provided further*, That in the acquisition of land or sites for the purposes of Federal public buildings and in the construction of such buildings provided for in this paragraph, the provisions of sections 305 and 306 of the Emergency Relief and Construction Act of 1932, as amended, shall apply.

Purchase of property at Chicago, Ill.

Preparation of plans, etc.

Limit on obligations.

Personal services.

Acquisition of land, etc., for Federal buildings.
47 Stat 722, 724.

Engraving and Printing Bureau, additional building.

Bureau of Engraving and Printing, additional building: For completion of construction of an additional building for the Bureau of Engraving and Printing and other Treasury Department activities, $2,325,000.

Grand Central Station Post Office, etc., Building, New York.
47 Stat. 656.

Grand Central Station Post Office and Office Building, New York, New York: For carrying out the provisions of the Act approved July 12, 1932 (47 Stat. 656), authorizing purchase of land and building thereon, for a post-office building and for other Government purposes, $10,107,065.94, payment from such sum to constitute complete settlement.

Treasury Building, renewal of electric wiring; exceptions.

Treasury Building, Washington, District of Columbia: For renewing the electric wiring system of the Treasury Building, except elevators, and changing said system from direct current to alternating current, including feeders, switches, transformer vaults, switchboards, panel boards, and other requisite equipment, fiscal year 1938, $100,000.

Schofield Barracks, Hawaii; portion as a post office building site.

Honolulu, Territory of Hawaii, Schofield Barracks post-office station: There is hereby transferred to the jurisdiction and control of the Secretary of the Treasury, as a site for a post-office building, a portion of the military reservation at Schofield Barracks, Oahu Island, Territory of Hawaii, particularly described under this heading in House Document Numbered 215 of the Seventy-fifth Congress.

Winchester, Va., post office.
48 Stat. 1061.

Winchester, Virginia, post office: The limit of cost authorized under the provisions of the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934, for the acquisition of additional land and the extension and remodeling of the post-office building at Winchester, Virginia, is hereby increased from $62,000 to $65,753.

Memorial to persons killed in the wreck of the Navy dirigible Shenandoah: For carrying out the provisions of the Act of May 22, 1936, entitled "An Act authorizing the erection of a memorial to those who met their death in the wreck of the dirigible Shenandoah", as amended by the Act entitled "An Act to permit the erection of the Shenandoah Memorial in or near Ava, Ohio", approved August 2, 1937, fiscal year 1938, $2,500: *Provided*, That no part of this appropriation shall be available for expenditure until title to the land upon which the tablet or marker is to be erected is acquired by the United States.

Shenandoah Memorial, Ava, Ohio, erection expenses.
49 Stat 1371.

Ante, p. 557.

Proviso.
Title to land.

Cedar City, Utah, post office: The authorization for the purchase of a site and the construction of a post office at Cedar City, Utah, contained in the Second Deficiency Appropriation Act, approved July 3, 1930, as decreased by Act approved June 30, 1932, is hereby extended to include the purchase of an additional tract of land for the enlargement of the post-office site (Act of July 3, 1930, 46 Stat., p. 894).

Cedar City, Utah, post office, additional land.
46 Stat. 894; 47 Stat. 412.

American Printing House for the Blind: To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind as provided by law, fiscal year 1938, $50,000.

American Printing House for the Blind.
Ante, p. 744.

WAR DEPARTMENT—CIVIL FUNCTIONS

War Department, civil functions.

CORPS OF ENGINEERS, RIVER AND HARBOR WORK

River and harbor work.

Improvement of Indian River Inlet and Bay, Delaware: For the improvement of Indian River Inlet and Bay, Delaware, in accordance with plans and conditions set forth in report of the Chief of Engineers dated July 7, 1937, submitted in response to resolution of the Committee on Rivers and Harbors of the House of Representatives, adopted February 21, 1935, at an estimated cost of $443,000, $160,000, payable from the appropriation for rivers and harbors contained in the War Department Civil Appropriation Act, 1938; and in addition there shall be contributed by local interests $160,000.

Indian River Inlet and Bay, Del., improvement.

Ante, p. 516.

Flushing Bay, New York: For improvement in accordance with River and Harbor Committee Document Numbered 35, Seventy-fifth Congress, $505,000, payable from the appropriation for rivers and harbors contained in the War Department Civil Appropriation Act, 1938.

Flushing Bay, N. Y.
Ante, p. 516.

TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

Judgments and authorized claims.

PROPERTY DAMAGE CLAIMS

Property damage claims.

SEC. 1. (a) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in House Document Numbered 313 of the Seventy-fifth Congress, as follows:

Settlement of, not in excess of $1,000.

42 Stat. 1066.
31 U. S. C. §§ 215–217.

Offices designated.

Federal Civil Works Administration, $15;
Federal Emergency Relief Administration, $30.70;
Veterans' Administration, $125.52;
Works Progress Administration, $9,442.08;
Department of Agriculture, $13,137.26;
Department of Commerce, $291;
Department of the Interior, $2,490.46;
Department of Labor, $117.23;

Navy Department, $333.15;
Treasury Department, $428.10;
War Department, $9,409.02;
Post Office Department (payable from postal revenues), $395.93;
In all, $36,215.45.

Private property damage claims. Payment of. 42 Stat. 1066. 31 U. S. C. §§ 215–217.

(b) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding $1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215–217), as fully set forth in Senate Document Numbered 110 of the Seventy-fifth Congress, as follows:

Offices designated.

Veterans' Administration, $170.05;
Works Progress Administration, $2,041.36;
Department of Agriculture, $981.12;
Department of the Interior, $49.88;
Navy Department, $325.40;
Treasury Department, $25.00;
War Department, $1,099.34;
Post Office Department (payable from postal revenue), $54.12;
In all, $4,746.27.

Judgments, United States courts.

JUDGMENTS, UNITED STATES COURTS

Payment of.

SEC. 2. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (U. S. C., title 28, sec. 41, par. 20; sec. 258; secs. 761–765), certified to the Seventy-fifth Congress in House Document Numbered 314 under the following departments and establishments, namely:

24 Stat. 505. 28 U. S. C. § 41, par. 20, §§ 258, 761–765.

Offices designated.

United States Maritime Commission, $12,273.01;
Department of Agriculture, $758.35;
Department of Labor, $1,005;
Navy Department, $49;

Interest.

In all, $14,085.36, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

Suits in admiralty. 43 Stat. 1112. 46 U. S. C. §§ 781–789.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (U. S. C., title 46, secs. 781–789), and certified to the Seventy-fifth Congress in House Document Numbered 314, under the following departments, namely:

Department of Labor, $8,767.27;
Navy Department, $1,070.19;

Interest.

In all, $9,837.46, together with such additional sum as may be necessary to pay interest as specified in such judgment or as provided by law.

Judgments against collectors of internal revenue under certain Acts.

(c) For payment of judgments rendered by United States district courts against certain collectors of internal revenue and covering costs in suits to enjoin the Government of the United States from collecting taxes levied pursuant to the Agricultural Adjustment Act, approved May 12, 1933, and the Bituminous Coal Conservation Act,

48 Stat. 31; 49 Stat. 991.

approved August 30, 1935, and certified to the Seventy-fifth Congress in House Document Numbered 314 under the Treasury Department, $3,892.07, together with such additional sum as may be necessary to pay interest as and when specified in such judgments.

(d) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise. Time of payment.

(e) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act. Interest.

JUDGMENTS, COURT OF CLAIMS

Judgments, Court of Claims.

SEC. 3. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-fifth Congress in Senate Document Numbered 105 and House Document Numbered 319, under the following departments and establishments, namely: Payment of.

Emergency Conservation Work (Civilian Conservation Corps), $20,000; Offices designated.

Veterans' Administration, $472.15;

Department of the Interior (Indians), $10,099.25;

Navy Department, $39,883.54;

War Department, $770,123.46;

In all, $840,578.40, together with such additional sum as may be necessary to pay interest as and where specified in such judgments. Interest.

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise. Time of payment.

AUDITED CLAIMS

Audited claims.

SEC. 4. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1934 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in House Document Numbered 315, Seventy-fifth Congress, there is appropriated as follows: Payment of.

18 Stat. 110.
31 U. S. C. § 713.

23 Stat. 254.
5 U. S. C. § 266.

Legislative Establishment: For Library Building and Grounds, $6.53. Legislative Establishment.

Independent Offices: For National Industrial Recovery, Civil Works Administration, $2,317.30. Independent Offices.

For Federal Civil Works Administration, $1,492.06.

For National Industrial Recovery, Electric Home and Farm Authority, $187.50.

For Farm Credit Administration, $21.35.

For Civil Service Commission, $7.58.

For Interstate Commerce Commission, $2.50.

For Army pensions, $75.

For Army and Navy pensions, $439.85.

For military and naval compensation, Veterans' Bureau, $170.

For military and naval compensation, Veterans' Administration, $859.16.

For medical and hospital services, Veterans' Bureau, $920.84.

For salaries and expenses, Veterans' Administration, $2,180.02.

Department of Agriculture

Department of Agriculture: For miscellaneous expenses, Department of Agriculture, $42.34.

For salaries and expenses, Extension Service, $5.66.

For salaries and expenses, Bureau of Animal Industry, $279.14.

For salaries and expenses, Bureau of Plant Industry, $14.88.

For salaries and expenses, Forest Service, $515.31.

For Emergency Conservation Fund (transfer from War to Agriculture, Act June 19, 1934), $125.45.

Department of Commerce.

Department of Commerce: For air-navigation facilities, $709.91.

For general expenses, Lighthouse Service, $93.31.

For salaries and expenses, Bureau of the Census, $1.09.

For miscellaneous expenses, Bureau of Fisheries, $72.08.

District of Columbia.

District of Columbia: For National Zoological Park, District of Columbia, $1.13, payable from the revenues of the District of Columbia.

Department of the Interior.

Department of the Interior: For temporary government for Virgin Islands, $4.50.

For reindeer for Alaska, $99.

For general expenses, General Land Office, $256.50.

For Emergency Conservation Fund (transfer from War to Interior, Act March 31, 1933), $6,521.04.

For purchase and transportation of Indian supplies, $117.37.

For Indian school support, $1,004.60.

For industry among Indians, $169.80.

For conservation of health among Indians, $86.17.

For Indian boarding schools, $532.55.

For obtaining employment for Indians, $108.71.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $3.86.

For education of natives of Alaska, $21.93.

For Indian agency buildings, $448.50.

For support of Indians and administration of Indian property, $33.23.

For agriculture and stock raising among Indians, $3.30.

For Emergency Conservation Fund (transfer from War to Interior, Indians, Act March 31, 1933), $48.

For salaries, Bureau of Indian Affairs, $242.77.

Department of Justice.

Department of Justice: For books for judicial officers, $40.

For books, Department of Justice, $40.

For detection and prosecution of crimes, $30.50.

For salaries and expenses, Bureau of Prohibition, $268.20.

For salaries, fees, and expenses of marshals, United States courts, $1,540.79.

For salaries and expenses of clerks, United States courts, 40 cents.

For fees of commissioners, United States courts, $97.08.

For fees of jurors and witnesses, United States courts, $284.92.

For miscellaneous expenses, United States courts, $107.75.

For supplies for United States courts, $51.

For salaries and expenses, Division of Investigation, $102.70.

For United States penitentiary, Atlanta, Georgia, maintenance, $6.81.

For salaries and expenses, Bureau of Prisons, $1.74.

For support of United States prisoners, $2,792.69.

Department of Labor.

Department of Labor: For salaries and expenses, Immigration and Naturalization Service, $5.07.

For investigation of cost of living in the United States, $45.

Navy Department.

Navy Department: For transportation, Bureau of Navigation, $70.60.

For engineering, Bureau of Engineering, $2,465.87.

For construction and repair, Bureau of Construction and Repair, $927.03.

For pay of the Navy, $61.72.

For pay, subsistence, and transportation, Navy, $16,611.51.

For maintenance, Bureau of Supplies and Accounts, $971.26.

For aviation, Navy, $98,167.07.

For pay, Marine Corps, $25,210.16.

For general expenses, Marine Corps, $546.42.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), $243.12.

For prize money, Battle of Manila Bay, $53.88.

For judgments, bounty for destruction of enemy's vessels, $44.94.

Department of State.

Department of State: For contingent expenses, Foreign Service, $83.78.

For transportation of Foreign Service officers, $41.53.

For cost of living allowance, Foreign Service, $2.78.

Treasury Department.

Treasury Department: For collecting the revenue from customs, $205.71.

For collecting the internal revenue, $491.72.

For Coast Guard, $120.

For pay and allowances, Coast Guard, $1,866.80.

For contingent expenses, Coast Guard, $31.53.

For fuel and water, Coast Guard, $648.97.

For repairs to Coast Guard vessels, $966.86.

For salaries and expenses, Bureau of Narcotics, $1.50.

For furniture and repairs of same for public buildings, $11.87.

For general expenses, Procurement Division, $128.21.

For mechanical equipment for public buildings, $739.24.

For operating expenses, Treasury buildings, Procurement Division, $20.61.

For operating supplies for public buildings, $67.68.

For outfits, Coast Guard, $20.

For quarantine service, $1.02.

War Department.

War Department: For pay, and so forth, of the Army, $17,454.45.

For pay of the Army, $782.86.

For increase of compensation, Military Establishment, $791.87.

For extra pay to volunteers, War with Spain, $88.40.

For extra pay to Regular Army, War with Spain, $15.60.

For arrears of pay, bounty, and so forth, $339.19.

For Army transportation, $738.48.

For clothing and equipage, $37.65.

For replacing clothing and equipage, $127.20.

For barracks and quarters, $334.01.

For horses, draft and pack animals, $25.40.

For subsistence of the Army, $168.59.

For supplies, services, and transportation, Quartermaster Corps, $33.25.

For general appropriations, Quartermaster Corps, $1,042.21.

For claims of officers and men of the Army for destruction of private property, Act March 3, 1885, $158.89.

For registration and selection for military service, $159.25.

For ordnance service and supplies, Army, $53.64.

For mileage of the Army, $35.14.

For National Guard, $3,127.48.

For arming, equipping, and training the National Guard, $259.12.
For Reserve Officers' Training Corps, $106.31.
For Organized Reserves, $82.69.
For citizens' military training camps, $5.69.
For civilian military training camps, $32.75.
For travel, military and civil personnel, War Department, $10.02.
For regular supplies of the Army, $9.90.
For Air Corps, Army, $56,775.08.
For cemeterial expenses, War Department, $1.98.
For Emergency Conservation Fund (transfer to War, Act June 19, 1934), $26.

Post Office Department.

Post Office Department—Postal Service (out of the postal revenues): For clerks, first- and second-class post offices, $16.34.
For compensation to postmasters, $200.18.
For contract air-mail service, $16,964.16.
For furniture, carpets, and safes for public buildings, $90.03.
For indemnities, domestic mail, $134.
For operating supplies for public buildings, Post Office Department, $6.07.
For post-office equipment and supplies, $1,084.
For rent, light and fuel, $4,828.29.
For rural-delivery service, $268.79.
For special-delivery fees, 55 cents.
For star-route service, $1.72.

Total; additional sum, increases in rates of exchange.

Total, audited claims, section 4 (a), $282,897.09, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Additional audited claims.

(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (U. S. C., title 31, sec. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1935 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), as fully set forth in Senate Document Numbered 107, Seventy-fifth Congress, there is appropriated as follows:

18 Stat. 110.
31 U. S. C. § 713.

23 Stat. 254.
5 U. S. C. § 266.

LEGISLATIVE ESTABLISHMENT

Government Printing Office.

For public printing and binding, Government Printing Office, $8.88.

INDEPENDENT OFFICES

Independent Offices.

For National Industrial Recovery, Civil Works Administration, $24.
For Federal Civil Works Administration, $5.47.
For Interstate Commerce Commission, $119.
For farmers' crop production and harvesting loans, Farm Credit Administration, $154.60.
For loans and relief in stricken agricultural areas (transfer to Farm Credit Administration), $1,330.
For loans to farmers in drought- and storm-stricken areas, emergency relief, $450.
For agricultural credits and rehabilitation, emergency relief, $18.59.
For salaries and expenses, Farm Credit Administration, $1,961.67.
For Army and Navy pensions, $146.75.
For medical and hospital services, Veterans' Bureau, $1.
For salaries and expenses, Veterans' Administration, $1,152.91.

DEPARTMENT OF AGRICULTURE

Department of Agriculture.

For salaries and expenses, library, Department of Agriculture, $1.95.

For salaries and expenses, Bureau of Animal Industry, $19.66.

For salaries and expenses, Bureau of Dairy Industry, $12.

For salaries and expenses, Bureau of Plant Industry, $78.40.

For salaries and expenses, Forest Service, $33.

For salaries and expenses, Bureau of Chemistry and Soils, $480.

For salaries and expenses, Bureau of Entomology and Plant Quarantine, $30.04.

For salaries and expenses, Bureau of Agricultural Economics, $75.

For chinch bug control, Department of Agriculture, $105.96.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Agriculture), $48.26.

For National Industrial Recovery, Resettlement Administration, subsistence homesteads (transfer to Agriculture), $1,549.31.

For emergency relief and public works, Agriculture, wildlife refuges, $12.67.

DEPARTMENT OF COMMERCE

Department of Commerce.

For air-navigation facilities, $74.

For general expenses, Lighthouse Service, $27.76.

DEPARTMENT OF THE INTERIOR

Department of the Interior.

For Emergency Conservation Fund (transfer from War to Interior, Act March 31, 1933), $550.

For salaries and expenses, office of national parks, buildings and reservations, $1.50.

For National Park Service, $400.

For contingent expenses, Department of the Interior, $553.09.

For purchase and transportation of Indian supplies, $15.39.

For support of Indians and administration of Indian property, $36.91.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, $9.78.

For education, Sioux Nation, $573.30.

For conservation of health among Indians, $99.82.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), $4.21.

For Emergency Conservation Fund (transfer from War to Interior, Indians, Act June 19, 1934), $1,294.20.

For Indian service supply fund, $91.25.

DEPARTMENT OF JUSTICE

Department of Justice.

For fees of commissioners, United States courts, 67 cents.

For fees of jurors and witnesses, United States courts, $41.09.

For miscellaneous expenses, United States courts, $169.50.

For support of United States prisoners, $21,969.80.

For salaries and expenses, Bureau of Prisons, $1.

For salaries, fees, and expenses of marshals, United States courts, $98.48.

For salaries and expenses of district attorneys, United States courts, $26.

For salaries and expenses, Division of Investigation, $1.

For salaries and expenses, Alcoholic Beverage Unit, Department of Justice, $1.

For United States penitentiary, Atlanta, Georgia, maintenance, $1,815.45.

DEPARTMENT OF LABOR

Department of Labor.

For expenses of regulating immigration, $2.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Labor), $9.52.

NAVY DEPARTMENT

Navy Department.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), $30.73.

For pay, subsistence, and transportation, Navy, $351.88.

For maintenance, Bureau of Supplies and Accounts, $1.94.

For aviation, Navy, $5,135.87.

For pay, Marine Corps, $64.95.

For ordnance and ordnance stores, Bureau of Ordnance, $6,670.15.

For construction and repair, Bureau of Construction and Repair, $7,111.42.

For engineering, Bureau of Engineering, $5,897.91.

For instruments and supplies, Bureau of Navigation, $47.42.

DEPARTMENT OF STATE

Department of State.

For office and living quarters, Foreign Service, $10.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (State), $16.75.

TREASURY DEPARTMENT

Treasury Department.

For collecting the revenue from customs, $2.41.

For collecting the internal revenue, $325.09.

For contingent expenses, Coast Guard, $18.13.

For fuel and water, Coast Guard, $44.60.

For pay and allowances, Coast Guard, $149.99.

For quarantine service, $1.19.

For pay of personnel and maintenance of hospitals, Public Health Service, $13.89.

For operating expenses, Treasury buildings, Procurement Division, $24.50.

For vaults and safes for public buildings, $7.50.

WAR DEPARTMENT

War Department.

For pay, and so forth, of the Army, $2,002.09.

For pay of the Army, $600.82.

For increase of compensation, Military Establishment, $2.

For extra pay to volunteers, War with Spain, $30.

For Army transportation, $193.54.

For clothing and equipage, $55.66.

For barracks and quarters, $3,682.41.

For subsistence of the Army, $952.49.

For supplies, services, and transportation, Quartermaster Corps, $12.78.

For general appropriations, Quartermaster Corps, $265.16.

For National Guard, $102.06.

For organized reserves, $3.31.

For Air Corps, Army, $205.12.

For seacoast defenses, Panama Canal, Coast Artillery, $250.

For replacing ordnance and ordnance stores, $145.15.

For Coast Artillery school, Fort Monroe, Virginia, $300.

For library, Surgeon General's Office, $1.82.
For barracks and quarters, other buildings, and utilities, $74.54.
For Emergency Conservation Fund (transfer to War, Act June 19, 1934), $5,410.23.
For loans and relief in stricken agricultural areas (transfer from Emergency Conservation Work to War, Act June 19, 1934), $51.15.

POST OFFICE DEPARTMENT—POSTAL SERVICE

Post Office Department.

(Out of the Postal Revenues)

Postal service.

For clerks, first- and second-class post offices, $50.06.
For compensation to postmasters, $54.52.
For indemnities, domestic mail, $61.60.
For railroad transportation and mail messenger service, $51.97.
For rent, light, and fuel, $1,676.
For village delivery service, $563.80.
Total, audited claims, section 4 (b) $78,410.44, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Total; additional sum, increases in rates of exchange.

SEC. 5. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by United States District Court for the Southern District of New York against collectors of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (U. S. C., title 28, sec. 842), and certified to the Seventy-fifth Congress in Senate Document Numbered 109 and House Document Numbered 318, under the Department of Labor, $17,174.15.

Judgments against collectors of customs.

R. S. § 989.
28 U. S. C. § 842.

SEC. 6. For the payment of claims allowed by the General Accounting Office pursuant to Public Act Numbered 436 of the Seventy-fourth Congress, which have been certified to Congress under section 2 of the Act of July 7, 1884 (U. S. C., title 5, sec. 266), in House Document Numbered 317, Seventy-fifth Congress, under the War Department, $95.27.

Army disbursing officers.
49 Stat. 1107.
23 Stat. 254.
5 U. S. C. § 266.

SEC. 7. This Act may be cited as the "Third Deficiency Appropriation Act, fiscal year 1937".

Short title.

Approved, August 25, 1937.

[CHAPTER 758]

JOINT RESOLUTION

August 25, 1937
[H. J. Res. 437]
[Pub. Res., No. 70]

Relative to determination and payment of certain claims against the Government of Mexico.

Claims against the Government of Mexico.

Whereas the Act entitled "An Act to establish a commission for the settlement of the special claims comprehended within the terms of the convention between the United States of America and the United Mexican States concluded April 24, 1934", approved April 10, 1935 (49 Stat. 149), provides for the establishment of the Special Mexican Claims Commission and confers upon that Commission jurisdiction to hear and determine all claims against the Republic of Mexico, notices of which were filed with the Special Claims Commission, United States and Mexico, established by a convention of September 10, 1923, in which the said Commission failed to award compensation, except such claims as may be found by the committee provided for in the Special Claims Convention of April 24, 1934, to be general claims and recognized as such by the General Claims Commission; and

Preamble.

48 Stat. 1844; 49 Stat. 149.

49 Stat. 3071.

Whereas the said Special Claims Convention of April 24, 1934, provides that the jurisdiction in and validity of the claims found by the said committee to be general claims shall be determined in each case when examined and adjudicated by the Commissioners or Umpire in accordance with the provisions of the General Claims Convention of September 8, 1923, and the protocol of April 24, 1934, or the Special Claims Convention of September 10, 1923, and the protocol of June 18, 1932, in the event it shall be found by the Commissioners or Umpire to have been improperly eliminated from the special claims settlement; and

43 Stat. 1730.
48 Stat. 1844.
43 Stat. 1722.
49 Stat. 3128.

Whereas certain claims filed with the said Special Claims Commission, United States and Mexico, established by the said convention of September 10, 1923, were found by the said committee to be general claims but have not yet been the subject of any determination by the said General Claims Commission; and

Whereas the said Special Mexican Claims Commission, established in pursuance of the said Act approved April 10, 1935, expires by the terms of the said Act on August 31, 1937; and

49 Stat. 149.

Whereas, by the terms of the protocol of April 24, 1934, between the United States of America and the United Mexican States, the said General Claims Commission expires on October 24, 1937, and the two Governments have undertaken, upon the basis of the joint report of the members of the said Commission, to conclude a convention for the final disposition of the claims pending before the said Commission, the said convention to take either the form of an agreement for an en-bloc settlement of the said claims or the form of an agreement for the disposition of the claims upon their individual merits by reference to an umpire; and

Whereas the committee provided for in the Special Claims Convention of April 24, 1934, found that the amount to be paid by the Government of Mexico in settlement of the special claims comprehended in that convention was $5,448,020.14, it being understood that the sum thus determined was susceptible of increase after express decision of the General Claims Commission in case the said Commission might decide to be within the jurisdicton [1] of the Special Commission any one or more of the claims which the said committee found to be general claims; and

Whereas the said Special Mexican Claims Commission, in the event that the total amount of the awards made by it upon all claims is greater than the amount which the Government of Mexico has agreed to pay to the Government of the United States in satisfaction of the claims, is required by the said Act approved April 10, 1935, to reduce the awards on a percentage basis to such amount; and

Whereas, in the circumstances set forth, it is not now possible to ascertain which, if any, of the claims found by the said committee to be general claims will be found by the said General Claims Commission to be special claims, nor what will be the amount of the total en-bloc settlement provided for in the said Special Claims Convention of April 24, 1934; and

Whereas payments on awards of the said Special Mexican Claims Commission from funds paid to the Government of the United States by the Government of Mexico under the Special Claims Convention of April 24, 1934, should not, in justice to the beneficiaries, be deferred until the question of the jurisdiction of the claims now pending before the General Claims Commission, by virtue of the classification of such claims as general claims by the joint committee, shall have been finally determined in the manner provided for in the said convention of April 24, 1934, or in the said protocol of the same date: Therefore be it

[1] So in original.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the jurisdiction of the Special Mexican Claims Commission established in pursuance of the Act approved April 10, 1935 (49 Stat. 149), shall not be deemed to include any of the claims found by the committee provided for in the Special Claims Convention of April 24, 1934, to be general claims.

Special Mexican Claims Commission, jurisdiction redefined.
49 Stat. 149.
49 Stat. 3071.

SEC. 2. That for the purposes of the reduction of awards on a percentage basis as provided for in section 4 of the Act approved April 10, 1935 (49 Stat. 149), the amount which the Government of Mexico has agreed to pay to the Government of the United States in satisfaction of the claims shall, subject to the provision in section 3 hereof, be deemed to be the sum of $5,448,020.14, set forth in the report of the said committee provided for in the said convention of April 24, 1934.

Basic amount of payment by Mexico.
49 Stat. 150.

SEC. 3. That, in the event of the reclassification as special claims of any of the claims found by the said committee to be general claims, the claims so reclassified shall be passed upon by said Special Mexican Claims Commission during its existence and thereafter by a Commission to be established in conformity with the said Act of April 10, 1935, and the total amount payable by the Government of Mexico to the Government of the United States on account of the claims so reclassified, together with interest on all deferred payments under the Special Claims Convention of April 24, 1934, shall be added to the sum of $5,448,020.14 set forth in the report of the said committee. The total amount awarded by the Commission so established upon the claims so reclassified shall be added to the total amount of the original awards made by the Special Mexican Claims Commission, and any necessary readjustment of the awards of the Special Mexican Claims Commission and those that may be made by the Commission to be established pursuant to this section shall be made by the Secretary of the Treasury on the basis prescribed by section 4 of the Act approved April 10, 1935.

Action where general claims reclassified as special claims.

Additional payments.

SEC. 4. Upon the certification to the Secretary of the Treasury of the awards of the Special Mexican Claims Commission, he shall proceed to make payments as provided for in section 9 of the Act approved April 10, 1935; and upon the certification to the Secretary of the Treasury of awards upon any claims reclassified as special claims he shall, after making the readjustments provided for in section 3 of this resolution, accord priority of payment on such awards until the beneficiaries thereof shall have been placed upon an equal percentage basis as to payments with the beneficiaries of awards of the Special Mexican Claims Commission.

Payment of awards.
49 Stat. 151.

SEC. 5. Section 6 of the Act approved April 10, 1935, creating the Special Mexican Claims Commission, and for other purposes, is amended to read as follows:

49 Stat. 150.

"SEC. 6. The Commission shall complete its work within three years from the date on which it undertakes the performance of its duties, at which time all powers, rights, and duties conferred by this Act upon the Commission shall terminate. If the President finds the Commission has completed its work prior to such expiration date, he may terminate all such powers, rights, and duties of the Commission by Executive order."

Duration of Commission extended.
Ante, p. 771.

Termination prior to expiration date.

Approved, August 25, 1937.

[CHAPTER 759]

AN ACT

August 25, 1937
[H. R. 5787]
[Public, No. 355]

Granting pensions and increases of pensions to certain soldiers who served in the Indian Wars from 1817 to 1898, and for other purposes.

Pensions.
Service in Indian wars from 1817 to 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the 1st day of the next month after the enactment of this Act, all surviving soldiers of the various Indian wars and campaigns who are now on the pension rolls or who may hereafter be placed thereon under the provisions of the Acts of July 27, 1892, June 27, 1902, and May 30, 1908, as amended by the Act of February 19, 1913, or under the Act of March 4, 1917, or the Act of March 3, 1927, shall be entitled to receive a pension not exceeding $55 per month and not less than $20 per month, proportioned to the degree of inability to earn a support as determined by the Administrator of Veterans' Affairs, and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated: *Provided*, That any such person who has reached the age of sixty-two years shall be entitled to receive a pension of $25 a month; in case such person has reached the age of sixty-eight years, $35 a month; in case such person has reached the age of seventy-two years, $45 a month; and in case such person has reached the age of seventy-five years, $55 a month: *Provided further*, That any such person who is now or hereafter may become, on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, shall be paid the rate of $72 a month: *And provided further*, That no one while an inmate of the United States Soldiers' Home or of any National or State Soldiers' Home shall be paid more than $50 per month under this Act.

27 Stat. 281; 37 Stat. 679, 39 Stat. 1199; 44 Stat. 1361.
Rates; degree of disability.

Provisos.
Age pension.

Helpless or blind persons.

Inmates of National or State Soldiers' Home.

Effective dates.

SEC. 2. That the increased rates of pension herein provided shall be effective from and after the 1st day of the month following the enactment of this Act as to those then in receipt of Indian War service pension, and as to those with claims then pending who are shown to be entitled to pension under one of the Acts enumerated herein, and as to all other cases where entitlement under this Act is shown, such pension shall commence from the date of filing application therefor in the Veterans' Administration on and after the enactment of this Act, and in such form as may be prescribed by the Administrator of Veterans' Affairs: *Provided*, That pension of $72 per month granted under this Act on the basis of requiring the regular aid and attendance of another person shall commence from the date of receipt in the Veterans' Administration of the evidence showing the requisite condition or the date of filing application therefor on and after the enactment of this Act, whichever is the later date, but such pension of $72 per month shall not be awarded to any person for any period during which he is maintained in an institution by the United States Government or a political subdivision thereof and is being furnished with nursing or attendant service: *Provided further*, That in no event shall the rates of pension provided in this Act be effective prior to the first day of the month following the enactment thereof.

Provisos.
Pension of those requiring attendant.

Effective date of payments.

Approved, August 25, 1937.

[CHAPTER 760]

AN ACT

August 25, 1937
[H. R. 6563]
[Public, No. 356]

To define, regulate, and license real-estate brokers, business chance brokers, and real-estate salesmen; to create a Real Estate Commission in the District of Columbia; to protect the public against fraud in real-estate transactions; and for other purposes.

District of Columbia.
Regulation of real-estate brokers, etc

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ENACTMENT AND PROHIBITION CLAUSE

Enactment and prohibition clause

SECTION 1. That on and after ninety days from the date of enactment of this Act it shall be unlawful in the District of Columbia for any person, firm, partnership, copartnership, association, or corporation (foreign or domestic) to act as a real-estate broker, business chance broker, or real-estate salesman, or to advertise or assume to act as such, without a license issued by the Real Estate Commission of the District of Columbia.

DEFINITIONS AND EXCEPTIONS

Definitions and exceptions.

SEC. 2. Whenever used in this Act "real-estate broker" means any person, firm, association, partnership, or corporation (foreign or domestic) who, for another and for a fee, commission, or other valuable consideration, or who, with the intention or in the expectation or upon the promise of receiving or collecting a fee, commission, or other valuable consideration, lists for sale, sells, exchanges, purchases, rents, or leases or offers or attempts or agrees to negotiate a sale, exchange, purchase, lease, or rental of an estate or interest in real estate, or collects or offers or attempts or agrees to collect rent or income for the use of real estate, or negotiates or offers or attempts or agrees to negotiate, a loan secured or to be secured by a mortgage, deed of trust, or other encumbrance upon or transfer of real estate: *Provided, however*, That this definition shall not apply to the sale of space for advertising of real estate in any newspaper, magazine, or other publication. A "business chance broker" within the meaning of this Act is any person, firm, partnership, association, copartnership, or corporation who for a compensation or valuable consideration sells or offers for sale, buys or offers to buy, leases or offers to lease, or negotiates the purchase or sale or exchange of a business, business opportunity, or the goodwill of an existing business for others as a whole or partial vocation.

"Real-estate broker."

Proviso.
Advertising space in newspapers, etc.

"Business chance broker."

"Real-estate salesman" means a person employed by a licensed real-estate broker to list for sale, sell, or offer for sale, to buy or offer to buy, or to negotiate the purchase or sale, or exchange of real estate, or to negotiate a loan on real estate, or to lease or rent or offer to lease, rent, or place for rent, any real estate, or collect or offer or attempt to collect rent or income for the use of real estate for or in behalf of such real-estate broker.

"Real-estate salesman."

Persons employed by a licensed real-estate broker in a clerical capacity, as collectors, or in similar subordinate and administrative positions shall not be required to obtain licenses.

Collectors, etc.

One act for a compensation or valuable consideration of buying or selling real estate for or of another, or offering for another to buy, sell, or exchange real estate, or leasing, renting, or offering to lease or rent real estate, except as herein specifically excepted, shall constitute the person, firm, partnership, copartnership, association, or corporation performing, or offering or attempting to perform any of the acts enumerated herein, a real-estate broker or a real-estate salesman within the meaning of this Act.

Business defined.

Exemptions.

The provisions of this Act shall not apply to receivers, referees, administrators, executors, guardians, trustees, or other persons appointed or acting under the judgment or order of any court; or public officers while performing their official duty, or attorneys at law in the ordinary practice of their profession.

Real Estate Commission.

CREATION OF COMMISSION

Creation, qualifications, etc.

SEC. 3. There is hereby created the Real Estate Commission of the District of Columbia. The Commissioners of the District of Columbia within thirty days after the enactment of this Act shall appoint two persons, not more than one of whom shall have been actively engaged in or closely connected with the business or vocation of real-estate broker or real-estate salesman within five years immediately prior to appointment, who shall serve as members of said Real Estate Commission of the District of Columbia. In addition thereto, the assessor of the District of Columbia shall serve, ex-officio, as a member of said Real Estate Commission but without added compensation for his services as such. One member of said Commission shall be appointed for a term of one year; one member shall be appointed for a term of two years, and until their successors are appointed and qualified; thereafter the term of the members of said Commission shall be for three years and until their successors are appointed and qualified. Members to fill vacancies shall be appointed for the unexpired term. The Commissioners of the District of Columbia may remove members of the Real Estate Commission at any time for cause.

Assessor, ex-officio member.

Terms, vacancies, removal, etc.

Chairman; election of treasurer, etc.

The assessor, ex-officio, shall be the chairman of said Real Estate Commission, which is hereby authorized and empowered to elect a treasurer of said Commission and to do all things necessary and convenient for carrying into effect the provisions of this Act and the rules and regulations promulgated from time to time by the Commissioners.

Secretary, assistants, etc.

The Commissioners of the District of Columbia shall employ and remove at their pleasure a secretary and such assistants as shall be deemed necessary to discharge the duties imposed by the provisions of this Act and shall prescribe their duties and fix their compensation in accordance with the provisions of the Classification Act of 1923, as amended.

Office space, etc.

The Commissioners of the District of Columbia shall provide for the use of the Real Estate Commission such office space, furniture, stationery, fuel, light, and other proper conveniences as shall be reasonably necessary for carrying out the provisions of this Act.

Seal, authentication of records, etc.

The Commission shall adopt a seal with such design as it may prescribe engraved thereon by which it shall authenticate its proceedings. Copies of all records and papers in the office of the Commission, duly certified and authenticated by the seal of said Commission, shall be received in evidence in all courts equally and with like effect as the original.

Record to be kept.

The Commission shall keep a record of all its proceedings and a complete stenographic record of all hearings authorized under this Act.

Public inspection of records.

All records kept in the office of the Commission under authority of this Act shall be open to public inspection under reasonable rules and regulations to be prescribed by the Commission.

Member's allowance.

Each member of the Commission, except the ex-officio member, shall receive an allowance at the rate of $10 for each day of seven hours such member is actually engaged in the performance of duties as a member of the Commission: *Provided, however*, That no member shall receive in any one year a sum greater than $2,000.

Proviso. Limitation.

The payment of such allowance shall be made from any unexpended balance in the treasury of said Commission remaining on June 30 of the year during which the services have been rendered, and if the unexpended balance is insufficient to meet the total amount of such allowance the rate of compensation shall be reduced to a rate which will permit payment from such unexpended balance. Such expenses shall in no event exceed the total receipts; and if at the close of each fiscal year any funds unexpended in excess of the sum of $1,000 shall be paid into the Treasury of the United States to the credit of the District of Columbia: *Provided*, That no expenses incurred under this Act shall be a charge against the funds of the United States or the District of Columbia.

Funds available.

Pay reduction, if fund insufficient.

Credit of excess.

Proviso. Restriction on incurred expenses.

All fees and charges payable under the provisions of this Act shall be paid to the treasurer of the Commission. The Commission is hereby authorized to refund any license fee or tax, or portion thereof, erroneously paid or collected under this Act.

Payment of fees, etc., to treasurer; refunds.

It shall be the duty of the auditor of the District of Columbia to audit the accounts of the Commission at the end of each fiscal year and make a report thereof in writing to the Commissioners of the District of Columbia. The said auditor shall have free access to all books of accounts, papers, and records of the said Commission.

Audit of accounts.

The Commissioners of the District of Columbia are hereby authorized and empowered to make and enforce, revise, or repeal whatever reasonable regulations may be necessary to carry out the provisions of this Act.

Administrative regulations.

QUALIFICATIONS FOR LICENSE

SEC. 4. No license under the provisions of this Act shall be issued to any person who has not attained the age of twenty-one years, nor to any person who cannot read, write, and understand the English language; nor until the Commission has received satisfactory proof that the applicant is trustworthy and competent to transact the business of a real-estate broker or real-estate salesman in such a manner as to safeguard the interests of the public.

Qualifications for license.

In determining competency, the Commission shall require proof that the applicant for a broker's license has a fair understanding of the general purposes and effect of deeds, mortgages, land contracts of sale and leases, a general and fair understanding of the obligations between principal and agent, as well as of the provisions of this Act. Such proof of competency to act as broker shall not be required of any applicant who shall furnish proof within one hundred and twenty days from the effective date of this Act of two years' experience as real-estate broker or real-estate salesman within the District of Columbia.

No license shall be issued to any person, firm, partnership, copartnership, association, or corporation whose application has been rejected in the District of Columbia or any State within three months prior to date of application, or whose real-estate license has been revoked in the District of Columbia or any State within one year prior to date of application.

APPLICATION FOR LICENSE

SEC. 5. Every applicant for a license under the provisions of this Act shall apply therefor in writing upon blanks furnished by the Real Estate Commission.

Application for license.

The application of every person for a real-estate broker's license or a real-estate salesman's license shall be accompanied by the recommendation of at least two residents of the District of Columbia, real-estate owners, who have owned real estate in the District of Columbia

Requirements. Recommendation of two or more resident property owners.

for a period of at least one year and who are not related to the applicant but who have personally known the applicant for a period of at least six months prior to the date of application, which recommendation shall certify that the applicant bears a good reputation for honesty, truthfulness, fair dealing, and competency, and recommend that a license be granted to the applicant.

Location of business, etc.

The application of every firm, partnership, copartnership, association, or corporation for a real-estate broker's license shall state the location of the place or places for which said license is desired and set forth the period of time, if any, which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have been engaged in any business for a period of thirty days or more during the five years preceding date of application, accounting for such entire period. Such applications shall also state the name and residence of each individual member or officer of said applicant who actively participates in the brokerage business thereof.

Members, etc.

Additional information required.

The application of every individual member or officer of a firm, partnership, copartnership, association, or corporation for a real-estate broker's license shall state the full name and residence address of the applicant and the full name and business address of the firm, partnership, copartnership, association, or corporation with which he is or will be associated, the length of time he has been so associated, and in what capacity. Such application shall also state the period of time, if any, during which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have resided and all former places where the applicant may have been engaged in any business for a period of thirty days or more during the five years preceding date of application, accounting for such entire period.

Individual broker's license.

The application of each person for an individual real-estate broker's license shall state the full name of the applicant, his business address, and residence address. Such application shall also state the period of time, if any, during which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have resided and all former places where the applicant may have been engaged in any business for a period of thirty days or more during the five years preceding the date of application, accounting for such entire period.

Real-estate salesman's license.

The application of every person for a real-estate salesman's license shall state the full name of the applicant, his residence address, and the name and business address of the real-estate broker by whom he is or will be employed. Such application shall also state the period of time, if any, during which said applicant has been engaged in the real-estate business, together with a complete list of all former places where the applicant may have resided and all former places where the applicant may have been engaged in any business for a period of thirty days or more during the five years preceding the date of application, accounting for such entire period. Such application shall be accompanied by a written statement by the broker by whom the applicant is employed or is about to be employed, stating that in his opinion the applicant is honest, truthful, and of good reputation, and recommending that the license be granted to the applicant.

Affidavit and fee to accompany.

Every application for a license under the provisions of this Act shall be sworn to by the applicant and shall be accompanied by the license fee herein prescribed. In the event that the Commission does not approve the application for a license the fee shall be returned to the applicant.

Bond.

Every application for a license shall be accompanied by a bond in the sum of $2,500 in the case of a broker and $1,000 in the case of a salesman, running to the District of Columbia, executed by two good and sufficient sureties, to be approved by the Commission, or executed by a surety company duly authorized to do business in the District of Columbia: *Provided, however*, That no bond shall be required of any firm, partnership, copartnership, association, or corporation when the application of every member or officer of such firm, partnership, copartnership, association, or corporation actively participating in the brokerage business thereof is accompanied by a bond as provided for in this section. Said bond shall be in form approved by the Commission, and conditioned that the applicant shall conduct himself and his business in accordance with the requirements of this Act; and for his failure so to do any person aggrieved thereby shall have, in addition to his right of action against the principal thereof, a right to bring suit against the surety on said bond either alone or jointly with the principal thereon, and to recover in an amount not exceeding the penalty of the bond any damages sustained by reason of any act, representation, transaction, or conduct of the principal which may be prohibited by this Act or enumerated as one of the causes for suspension or revocation of a license granted hereunder. If a recovery be had on any bond the licensee shall restore the bond to its original amount.

Proviso. Exemptions.

Form, conditions, etc.

Liability of surety.

Nothing in this Act shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished by any prior recovery or recoveries as the case may be.

Time limitation.

No suit or action against the surety on any such bond shall be brought later than one year from the accrual of the cause of action thereon. The surety may terminate its liability under such bond by giving thirty days' written notice thereof, served either personally or by registered mail, to the principal and to the Commission; and upon giving such notice the surety shall be discharged from all liability under such bond for any act or omission of the principal occurring after the expiration of thirty days from the date of service of such notice. Unless on or before the expiration of such period the principal shall duly file a new bond in like amount and conditioned as the original in substitution of the bond so terminated, the license of the principal shall likewise terminate upon the expiration of such period. Upon making any payment on account of its bond, the surety shall immediately notify the Commission.

Integrity, etc., requirements.

The Commission, with due regard to the paramount interest of the public, may require other reasonable proof of the honesty, truthfulness, and integrity of the applicant.

PROCEDURE WHEN LICENSE IS REFUSED APPLICANT

Procedure when license refused.

SEC. 6. The Commission, after an application in proper form has been filed, shall, before refusing to issue a license, set the application down for a hearing and determination as hereinafter provided in section 9.

DETAILS RELATING TO LICENSE

Detailed provisions relating to license.

SEC. 7. The Commission shall cause to be issued to each licensee a license in such form and size as shall be prescribed by the Commission. Every license shall show the name and address of the licensee, and if licensee is a member or officer of a firm, partnership, copartnership, association, or corporation, the full name and address of such firm, partnership, copartnership, association, or corporation shall also be shown on said license. Licenses issued to real-estate

salesmen shall in addition show the name and address of the real-estate broker by whom the said salesman is or will be employed. Each license shall have imprinted thereon the seal of the Commission, and in addition to the foregoing shall contain such matter as shall be prescribed by the Commission. The license of each real-estate salesman shall be delivered or mailed to the real-estate broker by whom such real-estate salesman is employed and shall be kept in the custody and control of such broker. It shall be the duty of each real-estate broker to conspicuously display his license in his place of business.

Reopening of question of qualifications of licensee.

At any time within six months, but not thereafter, after the issuance of an original license the Commission may, upon its own motion, and shall, upon the verified complaint, in writing, of any person, provided such complaint, or such complaint together with evidence, documentary or otherwise, presented therewith, shall make out a prima facie case that the licensee is unworthy to hold such license, notify the licensee, in writing, that the question of his honesty, competency, truthfulness, and integrity will be reopened and determined de novo. Such written notice may be served by delivery thereof personally to the licensee or by mailing same by registered mail to the last known business address of the licensee. Thereupon the Commission may require and procure further proof of the licensee's trustworthiness and competency, and if such proof shall not be satisfactory such license shall be recalled and shall thereafter be null and void. Upon the recall of any such license it shall be the duty of the licensee to surrender to the Commission such license.

Recall of license.

Surrender of license.

Broker's license, fee.

The fee for an original real-estate broker's license and every renewal thereof shall be $50.

Exemptions.

No fee shall be charged for any original license or renewal thereof issued to any firm, partnership, copartnership, association, or corporation all of whose members or officers actively participating in the brokerage business thereof have been issued a broker's license.

Salesman's license, fee.

The fee for an original real-estate salesman's license and every annual renewal thereof shall be $10.

Expiration.

Every license shall expire on the 1st day of July of each year, except that the original or initial licenses, first issued under the provisions of this Act, shall expire on the 1st day of July 1938, subject, however, to revocation as hereinbefore provided.

Annual issuance of new license.

The Commission shall cause to be issued a new license for each ensuing year, in the absence of any reason or condition which might warrant the refusal of the granting of a license, upon receipt of the written request of the applicant and the annual fee therefor, as herein required. The revocation of a broker's license shall automatically suspend every real-estate salesman's license granted to any person by virtue of his employment by the broker whose license has been revoked, pending a change of employer and the issuance of a new license. Such new license shall be issued without charge if granted during the same license year in which the original license is granted.

Actions for collecting compensation.

No person, firm, partnership, copartnership, association, or corporation engaged in the business or acting in the capacity of a real-estate broker or a real-estate salesman within the District of Columbia shall bring or maintain any action in the courts of the District of Columbia for the collection of compensation for any services performed as a real-estate broker or a real-estate salesman or enforcement of any contract relating to real estate without alleging and proving that such person, firm, partnership, copartnership, association, or corporation was a duly licensed real-estate broker or real-estate salesman at the time the alleged cause of action arose.

Every real-estate broker shall maintain a place of business in the District of Columbia. If a real-estate broker maintains more than one place of business within the District of Columbia, a duplicate license shall be issued to such broker for each branch office maintained; and there shall be no fee charged for any such duplicate license.

Maintenance of place of business.

Notice in writing shall be given to the Commission by each licensee of any change of principal business location, whereupon the Commission shall cause to be issued a new license for the unexpired period without charge. The change of business location without notification to the Commission shall automatically cancel the license theretofore issued.

Change of location.

When any real-estate salesman shall be discharged or shall terminate his employment with the real-estate broker by whom he is employed, it shall be the duty of such real-estate broker to immediately deliver or mail by registered mail to the Commission such real-estate salesman's license. The real-estate broker shall, at the time of delivering or mailing such real-estate salesman's license to the Commission, address a communication by registered mail to the last-known residence address of such real-estate salesman, which communication shall advise such real-estate salesman that his license has been delivered or mailed to the Commission. A copy of such communication to the real-estate salesman shall accompany the license when mailed or delivered to the Commission. It shall be unlawful for any real-estate salesman to perform any of the acts contemplated by this Act, either directly or indirectly, under authority of said license from and after three days following such delivery or mailing of the said license by said broker to the Commission.

Salesman's license, return on termination of service.

Acting without license.

There shall be no additional fee for the reissuance of a salesman's license necessitated by the change of employers, nor shall such change work a revocation or require a renewal of the salesman's bond.

Reissuance.

SUSPENSION OR REVOCATION OF LICENSE FOR CAUSES ENUMERATED

SEC. 8. The Commission may, upon its own motion, and shall, upon the verified complaint in writing of any person, provided such complaint or such complaint together with evidence, documentary or otherwise, presented in connection therewith, make out a prima-facie case, investigate the conduct of any real-estate broker or real-estate salesman, or any person who shall assume to act in either such capacity within the District of Columbia, and shall have the power to suspend or to revoke any license issued under the provisions of this Act, at any time where the licensee has by false or fraudulent representation obtained a license; or where the licensee, in performing or attempting to perform any of the acts mentioned herein, has—

Suspension or revocation of license; causes enumerated.

(a) Made any substantial misrepresentation;

(b) Made any false promises of a character likely to influence, persuade, or induce;

(c) Pursued a continued and flagrant course of misrepresentation, or making of false promises through agents or salesmen, or advertising or otherwise;

(d) Acted for more than one party in a transaction without the knowledge of all parties for whom he acts;

(e) Accepted a commission or valuable consideration as a real-estate salesman for the performance of any of the acts specified in this Act from any person, except an employer who is a licensed real-estate broker;

(f) Represented or attempted to represent a real-estate broker other than the employer, without the express knowledge and consent of the employer;

(g) Failed, within a reasonable time, to account for or to remit any money, valuable documents, or other property coming into his possession which belong to others;

(h) Demonstrated such unworthiness or incompetency to act as a real-estate broker or salesman as to endanger the interests of the public;

(i) Paid or offered to pay a commission or valuable consideration to any person for acts or services in violation of this Act, with knowledge of such violation or where reasonable diligence has not been exercised to acquire such knowledge;

(j) Been guilty of any other conduct, whether of the same or a different character from that hereinbefore specified, which constitutes fraudulent or dishonest dealing;

(k) Using any other trade name or insignia of membership in any real-estate organization of which the licensee is not a member;

(l) Disregarding or violating any provisions of this Act;

(m) Guaranteeing, or having authorized or permitted any broker or salesman to guarantee, future profits which may result from the resale of real property;

(n) Placing a sign on any property offering it for sale or for rent or offering it for sale or rent without the written consent of the owner or his authorized agent;

(o) Soliciting, selling, or offering for sale real property by offering free lots, or conducting lotteries, or contests, or offering prizes for the purpose of influencing a purchaser or prospective purchaser of real property; or

(p) Failing to restore the bond to its original amount after a recovery on the bond as provided in section 5.

PROVISION FOR HEARING BEFORE APPLICATION IS REFUSED OR LICENSE SUSPENDED OR REVOKED

Hearing before application refused or license suspended, etc.

SEC. 9. The Commission shall, before denying an application for license, or before suspending or revoking any license, set the matter down for a public hearing, and at least ten days prior to the date set for the hearing it shall notify the applicant or licensee in writing of any charges made and shall afford said applicant or licensee an opportunity to be heard in person or by counsel in reference thereto. Such written notice may be served by delivery of same personally to the applicant or licensee or by mailing same by registered mail to the last-known business address of such applicant or licensee. If said applicant or licensee be a salesman the Commission shall also notify the broker employing him, or whose employ he is about to enter, by mailing notice by registered mail to the broker's last-known address. The hearing on such charges shall be at such time and place as the Commission shall prescribe. The Commission shall have the power to issue subpenas or take testimony of any person by deposition in the same manner as prescribed by law in judicial procedure in the District Court of the United States for the District of Columbia in civil cases. It shall also have the power to require the production of books, records, papers, and documents by subpena or otherwise. Any party to any hearing before the Commission shall have the right to the attendance of witnesses in his behalf at such hearing upon making request therefor to the Commission and designating the person or persons sought to be subpenaed. If the Commission shall determine that any applicant is not qualified to receive a license, a license shall not be granted to said applicant, and if the Commission shall determine that any licensee is guilty of a violation of any of the provisions of this Act, his or its licenses shall be suspended or

revoked. All evidence before and findings of fact made by the Commission and questions of law involved in any final decision or determination of the Commission shall be subject to review by the District Court of the United States for the District of Columbia upon a writ of certiorari, mandamus, appeal, or by any other method permissible under the rules and practices of said court or the laws of the District of Columbia, and the said court may make such further orders with respect thereto as justice may require: *Provided, however*, That application is made by the aggrieved party to the court within thirty days after any determination by the Commission or within sixty days after formal request shall be made upon it for action. Such application shall operate as a stay of any action or finding of the Commission revoking or suspending a license, and until final decision by the District Court of the United States for the District of Columbia such licensee shall have the right to continue in business.

Evidence, etc., subject to court review.

Proviso. Time limitation.

Application to act as stay.

An appeal may be taken from the judgment of the said court on any such appeal on the same terms and conditions as an appeal is taken in civil actions.

Appeal from court judgment.

Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes, upon the payment to the Commission of such reasonable fee as it shall, by general rule or regulation, prescribe.

NONRESIDENT BROKERS AND SALESMEN

Nonresident brokers and salesmen.

SEC. 10. A nonresident of the District of Columbia may become a real-estate broker or a real-estate salesman in the District of Columbia by conforming to all of the conditions of this Act, except that the application of such person for a license need not be accompanied by the recommendation of real-estate owners in the District of Columbia prescribed in paragraph 2 of section 5 of this Act, but in lieu thereof the Commission shall require the filing of like recommendations by similarly qualified real-estate owners of property in the State, Territory, or county of such applicant's residence.

Provisions governing

(2) The Commission may recognize, in lieu of the recommendation and statements otherwise required by this Act to accompany an application for a license, the valid and existing license issued to a nonresident to act as a real-estate broker or salesman by any State having a law for the licensing of such brokers and salesmen similar to this Act, upon payment of the license fee prescribed by this Act and the filing by the applicant with the Commission of a duly authenticated copy of applicant's license issued by such State: *Provided, however*, That every nonresident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper courts of the District of Columbia by the service of any process or pleadings authorized by the laws of the United States applying to the District of Columbia on the secretary of the Commission, said consent stipulating and agreeing that such service of such process or pleadings on said secretary shall be taken and held in all courts to be as valid and binding as if due or personal service had been made upon said applicant in the District of Columbia. Said instrument containing such consent shall be duly acknowledged and if made by a corporation shall be authenticated by the seal thereof. All such applications, except from individuals, shall be accompanied by a duly certified copy of the resolution of the proper officers or managing board, authorizing the proper officer to execute the same. In case any process or pleadings mentioned in the Act are served upon the secretary of the Commission, it shall be by duplicate copies, one of which shall be filed in the office of the Commission and the other immediately forwarded by registered mail

Provisos. Consent to service.

to the residence address given by the applicant against which said process or pleadings are directed: *And provided further*, That every nonresident of the District of Columbia shall file a bond in form and contents the same as is required of applicants under section 5 of this Act.

Bond.

Ante, p. 791.

POWER TO OBTAIN EVIDENCE

Power to obtain evidence

SEC. 11. Each member of the Commission and its duly authorized representatives may administer oaths to witnesses.

In case of the refusal of any person to comply with any subpena issued hereunder or to testify to any matter regarding which he may lawfully be interrogated, the District Court of the United States for the District of Columbia, or any judge thereof, on application of any member of the Commission, shall issue an order requiring such person to comply with such subpena and to testify or either, and any failure to obey such order of the court may be punished by the court as a contempt thereof.

OTHERS EXEMPT

Further exemptions

SEC. 12. It shall not be necessary for any trustee or auctioneer acting under authority of a power of sale in a mortgage, deed of trust, or similar instrument securing the payment of a bona fide debt nor any bank, trust company, building and loan association, insurance company, or any land-mortgage or farm-loan association, organized under the laws of the United States, when engaged in the transaction of business within the scope of its corporate powers and provided by law, to obtain a license under this Act.

List of licensees.

PUBLICATION OF LIST OF LICENSEES

Publication, etc.

SEC. 13. The Commission shall publish at least annually a list of the names and addresses of all licensees licensed by it under the provisions of this Act and of all persons whose license has been suspended or revoked within one year, together with a succinct report of its work during the year. Such list shall be mailed by the Commission to any person in the District of Columbia upon request.

FRAUDULENT TRANSFERS OR LOANS

Fraudulent transfers, etc.

SEC. 14. It shall be unlawful for any person, firm, association, partnership, or corporation to enter into or become a party to any contract, agreement, or understanding, or in any manner whatsoever to consider, combine, conspire, or act with another or others, (a) to execute a deed conveying real property in the District of Columbia that is not a bona-fide sale but is instead a simulated sale of such property executed for the purpose and with the intent of misleading others as to the value of such property, and which in fact does so mislead and/or defraud others, to their detriment; or (b) to execute a mortgage or deed of trust upon real property situated in the District of Columbia that does not in fact represent security for a bona-fide indebtedness, but which is in reality a simulated transaction, executed for the purpose and with the intent of misleading or deceiving others as to the value of the property and which does mislead, deceive, or defraud others to their detriment.

CONVICTION OF CRIME

Conviction of crime.

SEC. 15. Where during the term of any license issued by the Commission the licensee shall be convicted in a court of competent jurisdiction in the District of Columbia or any State (including Federal

courts) of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or other like offense or offenses and a duly certified or exemplified copy of the record in such proceedings shall be filed with the Commission, the Commission shall revoke forthwith the license by it theretofore issued to the licensee so convicted.

In the event that any licensee shall be indicted in the District of Columbia or any State or Territory (including Federal courts) for forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or like offense or offenses, and a certified copy of the indictment be filed with the Commission, or other proper evidence thereof be to it given, the Commission shall have authority, in its discretion, to suspend the license issued to such licensee pending trial upon such indictment.

No license shall be issued by the Commission to any person known by it to have been, within five years theretofore, convicted of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, or other like offense or offenses, or to any copartnership of which such person is a member, or to any association or corporation of which said person is an officer, director, or employee, or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly. In the event of the revocation or suspension of the license issued to any member of a copartnership, or to any officer of an association or corporation, the license issued to such copartnership, association, or corporation, shall be revoked by the commission, unless, within a time fixed by the commission, where a copartnership, the connection therewith of the member whose license has been revoked shall be severed and his interest in the copartnership and his share in its activities brought to an end, or where an association or corporation, the offending officer shall be discharged and shall have no further participation in its activity.

PENALTIES

Penalties.

SEC. 16. Any person or corporation violating any provision of this Act shall upon conviction thereof, if a person, be punished by a fine of not more than $500, or by imprisonment for a term not to exceed six months, or by both such fine and imprisonment, in the discretion of the court; and, if a corporation, be punished by a fine of not more than $1,000. Any officer, director, employee, or agent of a corporation, or member, employee, or agent of a firm, partnership, copartnership, or association, who shall personally participate in or be accessory to any violation of this Act by such firm, partnership, copartnership, association, or corporation, shall be subject to the penalties herein prescribed for individuals.

This Act shall not be construed to release any person, partnership, association, or corporation from civil liability or criminal prosecution under the laws applying to the District of Columbia.

Prosecutions.

All prosecutions for violation of this Act shall be begun in the police court of the District of Columbia in the name of the District of Columbia and under the direction and charge of the corporation counsel of the District of Columbia. The corporation counsel of the District of Columbia and his assistants shall also be counsel for the Commission in all suits to which it may be a party, and shall advise the Commission and at its request attend any and all hearings which it may hold in the performance of its duties hereunder.

SAVING CLAUSE

Saving clause.

SEC. 17. If any section, subsection, sentence, clause, phrase, or requirement of this Act is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions thereof. The Congress of the United States hereby declares that it would have passed this Act, and each section, subsection, sentence, clause, phrase, and requirement thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or requirements be declared unconstitutional or invalid.

REPEALING CLAUSE

Conflicting laws repealed.

SEC. 18. All laws or parts of laws in conflict with this Act be, and the same are hereby, repealed.

Effective date.

SEC. 19. This Act, except as otherwise provided herein, shall take effect on and after ninety days from the date of its enactment.

Approved, August 25, 1937.

[CHAPTER 761]

AN ACT

August 25, 1937
[H. R. 7531]
[Public, No. 357]

To afford protection of pension benefits to peacetime veterans placed on the pension rolls after March 19, 1933, and for other purposes.

Pensions.
Protection of benefits to peacetime veterans on rolls after March 19, 1933.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph X of Executive Order Numbered 6098, dated March 31, 1933 (Veterans' Regulation Numbered 10 (38 U. S. C., ch. 12, appendix)), as amended by paragraph 1, Executive Order Numbered 6568, dated January 19, 1934 (Veterans' Regulation Numbered 10 (c)), is hereby canceled as of the date of enactment of this Act.

Approved, August 25, 1937.

[CHAPTER 762]

AN ACT

August 25, 1937
[H. R. 7709]
[Public, No. 358]

To incorporate the American Chemical Society.

American Chemical Society incorporated.
Incorporators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the persons following: Robert T. Baldwin, Edward Bartow, Erle M. Billings, E. K. Bolton, Willard H. Dow, Gustavus J. Esselen, Arthur J. Hill, Townes R. Leigh, Thomas Midgely, Junior, Charles L. Parsons, R. E. Swain, E. R. Weidlein, Frank C. Whitmore, H. H. Willard, and R. E. Wilson, being persons who are now directors of the American Chemical Society, a corporation existing under the laws of the State of New York, their associates and successors duly chosen, and such other persons as now are or may hereafter be associated with them as officers or members of said American Chemical Society, are hereby incorporated and constituted and declared to be a body corporate by the name of American Chemical Society.

Objects.

SEC. 2. That the objects of the incorporation shall be to encourage in the broadest and most liberal manner the advancement of chemistry in all its branches; the promotion of research in chemical science and industry; the improvement of the qualifications and usefulness of chemists through high standards of professional ethics, education, and attainments; the increase and diffusion of chemical knowledge; and by its meetings, professional contacts, reports, papers, discussions, and publications, to promote scientific interests and inquiry, thereby

fostering public welfare and education, aiding the development of our country's industries, and adding to the material prosperity and happiness of our people.

Corporate powers.

SEC. 3. That the American Chemical Society shall have power to make its own organization, including its constitution, bylaws, rules, and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of members, their division into classes, and all other matters needful and useful to promote the objects of the society. It shall hold an annual meeting at such place in the United States as may from time to time be designated.

Cooperation with War and Navy Departments.

SEC. 4. That the American Chemical Society shall, whenever called upon by the War or Navy Department, investigate, examine, experiment, and report upon any subject in pure or applied chemistry connected with the national defense, the actual expense of such investigations, examinations, experiments, and reports to be paid from appropriations which may have been made for that purpose by Congress, but the society shall receive no compensation whatever for any services to the Government of the United States: *Provided*, That the title to any and all inventions and discoveries made in the course of such investigations, examinations, and experiments that, in the opinion of the Secretary of the Navy or the Secretary of War, involve the national defense, shall vest in the Government of the United States, and the Government of the United States shall have unlimited license under all other inventions and discoveries.

Proviso.
Title to inventions and discoveries.

Acceptance of gifts, bequests, etc.

SEC. 5. That the American Chemical Society be, and the same is hereby, authorized and empowered to receive, by devise, bequest, donation, or otherwise, either real or personal property and to hold the same absolutely or in trust, and to invest, reinvest, and manage the same and to apply said property and the income arising therefrom to the objects of its creation.

Organization under national charter.

SEC. 6. That as soon as may be possible after the passage of this Act a meeting of the directors hereinbefore named shall be held at the city of Washington in the District of Columbia by notice served in person or by mail addressed to each director at his place of residence by the Secretary of the American Chemical Society, a New York corporation, and the said directors, or a majority thereof, being assembled, shall organize and proceed to adopt bylaws, to elect officers and appoint committees, and generally to organize the said corporation; and said directors herein named, on behalf of the corporation hereby incorporated, shall thereupon receive, take over, and enter into possession, custody, and management of all property, real or personal, of the corporation heretofore known as the American Chemical Society, incorporated as hereinbefore set out under the laws of the State of New York on November 9, 1877, and to all its rights, contracts, claims, and property of any kind or nature; and the several officers of such corporation, or any other person having charge of any of the securities, funds, real or personal, books or property thereof, shall, on demand, deliver the same to the said directors appointed by this Act or to the persons appointed by them to receive the same; and the directors of the existing corporation and the directors herein named shall and may take such other steps as shall be necessary to carry out the purposes of this Act.

Rights of creditors.

SEC. 7. That the rights of the creditors of the said existing New York corporation known as the American Chemical Society shall not in any manner be impaired by the passage of this Act, or the transfer of the property hereinbefore mentioned, nor shall any liability or obligation for the payment of any sums due or to become due, or any claim or demand, in any manner or for any cause existing against the said New York corporation, be released

or impaired; but such corporation hereby incorporated is declared to succeed to the obligations and liabilities and to be held liable to pay and discharge all of the debts, liabilities, and contracts of the said New York corporation so existing to the same effect as if such new corporation had itself incurred the obligation or liability to pay such debt or damages, and no such action or proceeding before any court or tribunal shall be deemed to have abated or been discontinued by reason of the passage of this Act.

Report to Congress.

SEC. 8. That the corporation shall, on or before the 1st day of December in each year, transmit to Congress a report of its proceedings and activities for the preceding calendar year, including the full and complete statement of its receipts and expenditures. Such reports shall not be printed as public documents.

Amendment, etc.

SEC. 9. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Effective date.

SEC. 10. That this Act shall date from the 1st day of January 1938.

Approved, August 25, 1937.

[CHAPTER 763]

August 25, 1937
[H. R. 3493]
[Public, No. 359]

AN ACT

To amend section 76 of the Judicial Code with respect to the terms of the United States District Court at Tallahassee, Florida.

Judicial Code, amendment.
36 Stat. 1108.
28 U. S. C. § 149.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 76 of the Judicial Code (U. S. C., 1934 edition, title 28, sec. 149), is amended to read as follows:

Florida judicial districts.

"SEC. 76. (a) The State of Florida is divided into two districts, to be known as the northern and southern districts of Florida.

Southern district.

"(b) The southern district shall include the territory embraced on the 1st day of July 1937 in the counties of Baker, Bradford, Brevard, Broward, Charlotte, Citrus, Clay, Collier, Columbia, Dade, De Soto, Duval, Flagler, Glades, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Lake, Lee, Madison, Manatee, Marion, Martin, Monroe, Nassau, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, Saint Johns, Saint Lucie, Sarasota, Seminole, Sumter, Suwannee, Union, and Volusia.

Terms.

"(c) Terms of the district court for the southern district shall be held at Ocala on the third Monday in January; at Tampa on the second Monday in February; at Key West on the first Mondays in May and November; at Jacksonville on the first Monday in December; at Fernandina on the first Monday in April; at Miami on the fourth Monday in April; at Orlando on the first Monday in October; and at Fort Pierce on the first Monday in February: *Provided*, That suitable rooms and accommodations for holding court at Fort Pierce are furnished without expense to the United States: *Provided further*, That suitable rooms and accommodations for holding court at Orlando are furnished without expense to the United States: *And provided further*, That nothing in this Act shall be construed to prevent the provision of quarters for the officers of said court and appropriate courtrooms for the holding of the sessions of said court in any new Federal building which may be constructed in Orlando, Florida. No deputy clerk or deputy marshal of the court shall be appointed for Fort Pierce. The district court for the southern district shall be open at all times for the purpose of hearing and deciding causes of admiralty and maritime jurisdiction.

Provisos.
Accommodations at Fort Pierce.

At Orlando; officers' quarters, courtrooms, etc., in new Federal building.

Appointments for Fort Pierce.

Northern district.

"(d) The northern district shall include the territory embraced on the 1st day of July 1937 in the counties of Alachua, Bay, Calhoun,

Dixie, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and Washington.

"(e) Terms of the district court for the northern district shall be held at Tallahassee on the second Monday in February and on the Tuesday next after the first Monday in September; at Pensacola on the first Mondays in May and November; at Marianna on the first Monday in April; at Gainesville on the second Mondays in June and December; and at Panama City on the first Monday in October: *Provided*, That suitable rooms and accommodations for holding court at Panama City are furnished without expense to the United States." Terms. *Proviso.* Courtrooms at Panama City.

SEC. 2. The Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Florida", approved June 15, 1933, as amended; the Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Fort Pierce, Florida", approved August 22, 1935; and the Act entitled "An Act providing for the establishment of a term of the District Court of the United States for the Northern District of Florida at Panama City, Florida", approved May 6, 1936, are hereby repealed. Acts repealed. 48 Stat. 147; 49 Stat. 683, 1261.

Approved, August 25, 1937.

[CHAPTER 764]

AN ACT

August 25, 1937
[H. R. 7806]
[Public, No. 360]

Authorizing the State Roads Commission of the State of Maryland to construct, maintain, and operate a free highway bridge across Sinepuxent Bay in Worcester County, Maryland, at Ocean City, Maryland, to replace a bridge already in existence.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Roads Commission of the State of Maryland be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across Sinepuxent Bay, at Worcester Street, or South Division Street or Wicomico Street, in Worcester County, Maryland, at Ocean City, Maryland, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act: *Provided*, That notwithstanding the designation made in this Act, if, within three months after the passage of this Act, in response to a duly called and authorized election, the duly qualified and registered voters of Ocean City, Maryland, should, after participation in such special election, designate a preference for the erection of said bridge at some point other than at one of the three locations set forth in this Act, then such designation of the location of said bridge shall be the point fixed for the building of said bridge, anything in this Act to the contrary notwithstanding: *Provided further*, That in the event any site for said bridge be selected of which there is no record in the Office of the Chief of Engineers, said site shall be subject to the final approval of the Secretary of War.

Sinepuxent Bay. Maryland may bridge, at Ocean City.

Construction. 34 Stat. 84. 33 U. S. C. §§ 491-498.

Provisos. Location.

Approval of site.

SEC. 2. There is hereby conferred upon the State Roads Commission of the State of Maryland all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are

Acquisition of property for approaches, etc.

possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Condemnation proceedings.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment, etc.

Approved, August 25, 1937.

[CHAPTER 765]

AN ACT

August 25, 1937
[H. R. 7867]
[Public, No. 361]

To amend section 11 of the Act of Congress approved July 10, 1890 (26 Stat., ch. 664), relating to the admission into the Union of the State of Wyoming.

Wyoming.
Sale of certain lands by, price limitation.
26 Stat. 224.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act approved July 10, 1890 (26 Stat., ch. 664), relating to the admission of the Territory of Wyoming into the Union, be, and the same is hereby, amended by inserting the word "five" in place of the word "ten" in the last line thereof.

Approved, August 25, 1937.

[CHAPTER 766]

AN ACT

August 25, 1937
[H. R. 7950]
[Public, No. 362]

To amend the District of Columbia Alcoholic Beverage Control Act.

District of Columbia Alcoholic Beverage Control Act, amendments.
48 Stat. 328.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 14 of the District of Columbia Alcoholic Beverage Control Act, as amended, is hereby amended to read as follows:

Application for retailer's license, advertisement of.

"SEC. 14. (b) Before granting a retailer's license, except a retailer's license class E or class F, the Board shall give notice by advertisement published once a week and for at least two weeks in some newspaper of general circulation published in the District of Columbia. The advertisement so published shall contain the name of the applicant and a description by street and number, or other plain designation, of the particular location for which the license is requested and the class of license desired. Such notice shall state that remonstrants are entitled to be heard before the granting of such licenses and shall name the time and place of such hearing. There shall also be posted by the Board a notice, in a conspicuous place, on the outside of the premises. This notice shall state that remonstrants are entitled to be heard before the granting of such license and shall name the same time and place for such hearing as set out in the public advertisement; and, if remonstrance against the granting of such license is filed, no final action shall be taken by the Board until the remonstrant shall have had an opportunity to be heard, under rules and regulations prescribed by said Board. Any person willfully removing, obliterating, marring, or defacing said notice shall be deemed guilty of a violation of this Act. The provisions of this subsection relating to notice by advertisement in some newspaper of general circulation shall not apply to the issuance of a license to a retailer for any place of business if such retailer is the holder of a license of the same class for the same place and if said last-mentioned license is in effect on the date the application for the new license is filed."

Protests.

Posting notices on premises.

Action deferred pending hearing.

Defacing, etc., of notice.

Renewals.

SEC. 2. That subsection (d) of section 14 of the District of Columbia Alcoholic Beverage Control Act, as amended, is hereby amended to read as follows: 48 Stat. 329.

"SEC. 14. (d) A separate application shall be filed with respect to each place of business. The required license fee shall be paid to the collector of taxes and his duplicate receipt shall accompany the application for license. In the event the license is denied the fee shall be returned. Every such application shall be verified by the affidavit of the applicant, if an individual, or by all of the members of a partnership, or by the president or vice president of a corporation. If any false statement is knowingly made in such application, or in any accompanying statement under oath which may be required by the Commissioners or the Board, the person making the same shall be deemed guilty of perjury. The making of a false statement in any such application, or in any such accompanying statement, whether made with or without the knowledge or consent of the applicant, shall, in the discretion of the Board, constitute sufficient cause for the revocation of the license."

Separate application for each place of business.

Verification.

False statements.

Penalty.

SEC. 3. That the second paragraph of section 17 of the District of Columbia Alcoholic Beverage Control Act, as amended, is hereby amended to read as follows: 49 Stat. 900.

"That in the event the Board at any time shall order the suspension of any license a notice may be posted by the Board, in a conspicuous place, on the outside of the licensed premises, at or near the main street entrance thereto; which notice shall state that the license theretofore issued to the licensee has been suspended and shall state the time for which said license is suspended, and state that the suspension is ordered because of a violation of the District of Columbia Alcoholic Beverage Control Act, or of the Commissioners' regulations adopted under authority of said District of Columbia Alcoholic Beverage Control Act."

Posting of notice of suspension on premises.

SEC. 4. That the District of Columbia Alcoholic Beverage Control Act, as amended, is hereby further amended by adding at the end thereof the following new section: 48 Stat. 337.

"SEC. 39. (a) It shall be unlawful for anyone, except a public or common carrier or the holder of a manufacturer's, wholesaler's, or retailer's license issued under this Act, to transport, import, bring, or ship or cause to be transported, imported, brought, or shipped into the District of Columbia from without the District of Columbia any wines, spirits, or beer in a quantity in excess of one gallon at any one time.

Limitation on importations, etc.

"(b) No public or common carrier shall transport or bring into the District of Columbia wine, spirits, or beer in a quantity in excess of one gallon at any one time for delivery to any one person in the District of Columbia other than the holder of a manufacturer's, wholesaler's, or retailer's license issued under this Act.

Common carriers.

"(c) The provisions of this section shall not apply to bona-fide possessors of old stocks who are moving into the District of Columbia nor to embassies or diplomatic representatives of foreign countries, nor to wines imported for religious or sacramental purposes, nor to wine, spirits, and beer to be delivered to the holder of a manufacturer's, wholesaler's, or retailer's license issued under this Act.

Exemptions.

"(d) The penalty for violation of this section shall consist of the forfeiture of the beverages transported, imported, or shipped or caused to be transported, imported, brought, or shipped in violation of this section, and a fine of not more than $500 or imprisonment for not more than six months."

Penalty provisions.

Approved, August 25, 1937.

[CHAPTER 767]

AN ACT

August 25, 1937
[H. R. 8081]
[Public, No. 363]

Authorizing the Comptroller General of the United States to allow credit in the accounts of disbursing officers for overpayments of wages on Civil Works Administration projects and waiving recovery of such overpayments.

Disbursing officers. Credits for overpayments of wages on Civil Works Administration projects.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of disbursing officers for any overpayment of wages heretofore made to or on behalf of any person for services rendered in connection with any project under the Federal Civil Works Administration, nothing to suggest fraud appearing, and in such cases where credit is allowed in the accounts of the disbursing officer under this Act no recovery shall be required from the person receiving the overpayment.

Recovery waived.

Approved, August 25, 1937.

[CHAPTER 768]

AN ACT

August 25, 1937
[S. 1075]
[Public, No. 364]

To establish the Pipestone National Monument in the State of Minnesota.

Pipestone National Monument, Minn. Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands lying in Pipestone County, Minnesota, within the area hereinafter described are hereby dedicated and set apart as a national monument for the benefit and enjoyment of the people of the United States, under the name of the "Pipestone National Monument": Beginning at a point twenty-two and four-tenths feet north and forty-five and eight one-hundredths feet west of the southwest corner of section 1, township 106 north, range 46 west, fifth principal meridian; thence north one thousand six hundred and fifty-five feet; thence north eighty-nine degrees fifteen minutes east, seven hundred and eight feet; thence north no degrees forty-five minutes west, six hundred and seven and three-tenths feet; thence north sixty-two degrees five minutes east, nine hundred and eighty-seven and one-tenth feet; thence south twenty-seven degrees fifty-five minutes east, two hundred and sixty-four and five-tenths feet; thence south eighty-eight degrees nineteen minutes east, nine hundred and sixty-seven and five-tenths feet; thence south no degrees twenty-four minutes east, one hundred and forty-four and three-tenths feet; thence south eighty-three degrees forty-three minutes west, four hundred and seventy-two and four-tenths feet; thence south two degrees seventeen minutes east, two thousand two hundred and forty-nine feet; thence south eighty-nine degrees twenty minutes west, four hundred and fifty-eight and two-tenths feet; thence- south no degrees no minutes east, one hundred and one and one-tenth feet; thence south ninety degrees no minutes west, one hundred and thirty-seven and two-tenths feet; thence north no degrees no minutes west, one hundred feet; thence south eighty-nine degrees twenty minutes west, one thousand six hundred and eighty-three and eight-tenths feet to the point of beginning; containing approximately one hundred and fifteen and eighty-six one-hundredths acres, including concourse, excluding from the area described herein forty-seven one-hundredths acres, constituting a right-of-way of the Chicago, Rock Island and Pacific Railway.

Description.

Administration.

SEC. 2. The administration, protection, and development of such monument shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended.

39 Stat. 535.
16 U. S. C. § 1.

SEC. 3. The quarrying of the red pipestone in the lands described in section 1 is hereby expressly reserved to Indians of all tribes, under regulations to be prescribed by the Secretary of the Interior.

Quarrying of red pipestone.

Approved, August 25, 1937.

[CHAPTER 769]

AN ACT

To increase the extra pay to enlisted men for reporting.

August 25, 1937
[S. 1283]
[Public, No. 365]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter enlisted men of the Army detailed to serve as stenographic reporters for general courts martial, courts of inquiry, military commissions, and retiring boards, while so serving, shall receive extra pay at the rate of not exceeding 10 cents for each one hundred words taken in shorthand and transcribed, such extra pay to be met from the annual appropriation for expenses of courts martial, and so forth.

Army, enlisted men. Stenographic reporters, extra pay.

Approved, August 25, 1937.

[CHAPTER 770]

AN ACT

Limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.

August 25, 1937
[S. 1431]
[Public, No. 366]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the employment of Harry W. Blair as an attorney or counselor specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the conduct of legal proceedings appertaining to claims in behalf of Osage Indians for the recovery of royalties on oil produced from tribal lands, including all proceedings therein and any other case or proceeding, appellate or otherwise, that may arise out of or pertain to the right of said Indians to royalties on oil produced from tribal lands, shall not be construed to be employment within the meaning of sections 109 and 113 of the Criminal Code of the United States, as amended (U. S. C., title 18, secs. 198 and 203), or section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99).

Harry W. Blair. Restrictions respecting certain counsel waived in favor of.

18 U. S. C. §§ 198, 203.
R. S. § 190.
5 U. S. C. § 99.

Approved, August 25, 1937.

[CHAPTER 771]

AN ACT

To authorize the appointment of an additional judge for southern district of Ohio.

August 25, 1937
[S. 2010]
[Public, No. 367]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President hereby is authorized to appoint by and with the advice and consent of the Senate one district judge for the southern district of Ohio in addition to those now authorized by law. Said additional judge shall be entitled to receive the same salary payable in the same manner as is now provided for district judges in said district. This additional district judge shall reside within said district and shall be subject to the general provisions of law relating to district judges of the United States.

Ohio southern judicial district. Additional judge authorized.

SEC. 2. This Act shall take effect immediately upon the approval thereof by the President of the United States.

Effective date.

Approved, August 25, 1937.

[CHAPTER 772]

AN ACT

August 25, 1937
[S. 2249]
[Public, No. 368]

Providing for the manner of payment of taxes on gross production of minerals, including gas and oil, in Oklahoma.

Oklahoma.
State gross production taxes on minerals, etc., restricted Indian lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever restricted Indian lands in the State of Oklahoma are subject to gross production tax on minerals, including oil and gas, the Secretary of the Interior, in his discretion, may cause such tax or taxes due the State of Oklahoma to be paid in the manner provided for by the statutes of the State of Oklahoma.

Approved, August 25, 1937.

[CHAPTER 773]

AN ACT

August 25, 1937
[S. 2258]
[Public, No. 369]

To authorize a modification of the project for the control of floods in Lowell Creek, Alaska.

Lowell Creek, Alaska
Modification of flood-control project authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the project for the control of floods in Lowell Creek, Alaska, is hereby modified in accordance with the recommendation in House Document Numbered 154, Seventy-fifth Congress, first session, and subject to the conditions set forth therein, the work to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers.

Approved, August 25, 1937.

[CHAPTER 774]

AN ACT

August 25, 1937
[S. 2281]
[Public, No. 370]

To regulate proceedings in adoption in the District of Columbia.

District of Columbia.
Adoption proceedings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That jurisdiction is hereby conferred upon the District Court of the United States for the District of Columbia to hear and determine petitions and decrees of adoption of any adult or child (hereinafter called adoptee) with authority to make such rules, not inconsistent with this Act, as shall bring fully before the court for consideration the interests of the adoptee, the natural parents, the petitioner, and any other properly interested party. No petition shall be considered by the court unless petitioner's spouse joins in the petition or consents to the adoption.

Consent of petitioner's spouse.

Residence requirements.

Jurisdiction is conferred if either of the following circumstances exist:

(1) If petitioner is a legal resident of the District of Columbia;

(2) If petitioner has actually resided in the District of Columbia for at least one year.

Data to be furnished.

The petition shall state, so far as known, the name, age, race, occupation, and address of the natural parents, when known, and of the petitioner, whether the petitioner is married or single, the age and sex of the adoptee, the property owned by the adoptee, and such other facts as the court may require.

Investigation and report.

The court shall thereupon, if the adoptee is under twenty-one years of age, issue a rule with copy of the petition attached, which shall be served in such manner as the court shall therein direct, directed to all parties to the petition who do not appear and consent to the adoption, and to the Board of Public Welfare to verify the allegations of the petition, to make a thorough investigation for the purpose

of ascertaining if the adoptee is a proper subject for adoption and if the home of the petitioner is a suitable one for the adoptee and within a period not in excess of sixty days to report its findings with recommendations to the court. If an investigation already has been made by a social agency approved by the court, the Board of Public Welfare shall accept it instead of making one itself: *Provided*, That the foregoing provisions of this section relating to investigations and reports by the Board of Public Welfare or an approved social agency shall not apply, if an investigation has already been made by a recognized religious or fraternal organization, having under its care minors for adoption, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and if such organization appears in the proceeding and reports to the court the results of its investigation and its recommendations with respect to the adoption.

Proviso. Exceptions.

Consent provisions.

SEC. 2. If adoptee is under twenty-one years of age, no decree of adoption shall be made unless the court shall find that the following persons have consented to the adoption: Adoptee, if fourteen or more years of age; and the natural parents or adoptive parents by a previous adoption, if living. The consent of the father of an adoptee born out of wedlock shall not be necessary unless he has both acknowledged the adoptee and contributed voluntarily to its support. The consent of a parent who is a minor shall not be voidable because of that minority.

If adoptee shall have attained the age of twenty-one years or over, the only consents which shall be required are those of such adoptee, and its spouse, if any.

The consent of a natural parent, or parents, or adoptive parents by a previous adoption, may be dispensed with (1) where after such notice as the court shall direct it shall appear to the court that such person or persons cannot be located; (2) where they have been permanently deprived of custody of the adoptee by court order; (3) where it shall appear to the court that they have abandoned the adoptee and voluntarily failed to contribute to his or her support for a period of at least one year next preceding the date of the filing of the petition; or (4) where investigation has shown to the satisfaction of the court extraordinary cause why such consent should be dispensed with.

Decree of adoption.

SEC. 3. After considering the petition, the consents, and such evidence as the parties and any other properly interested person may wish to present, the court may enter a final decree of adoption if it is satisfied (a) that adoptee is physically, mentally, and otherwise suitable for adoption by the petitioner; (b) that the petitioner is fit and able to give the adoptee a proper home and education; and (c) that the change will be for the best interests of adoptee.

No final decree of adoption shall be entered unless the adoptee shall have been living with the adoptor at least six months prior to the filing of the petition. If, however, it shall appear in the interests of the adoptee, the court may enter an interlocutory decree for adoption, which decree shall by its terms automatically become a final decree of adoption on a day therein named, which shall not be more than six months from the entry of such interlocutory decree unless such decree shall be set aside for cause shown. If it shall appear in the interests of the adoptee, the Board of Public Welfare shall visit the adoptee during the period of the interlocutory decree at regular intervals.

Notice to Vital Statistics Bureau, Health Department.

SEC. 4. Notice of a final decree of adoption shall be sent to the Bureau of Vital Statistics of the Health Department. This Bureau shall cause to be made a new record of the birth in the new name and with the names of the adoptor and shall then cause to be sealed and filed the original birth certificate with the order of the court and such sealed package shall be opened only by order of court.

Relationship of adoptee to adoptor.

Not to inherit from collateral relatives

SEC. 5. Entry of a final decree of adoption shall establish the relation of natural parent and natural child between adoptor and adoptee for all purposes including mutual rights of inheritance and succession the same as if adoptee was born of adoptor, except that adoptee shall not inherit from collateral relatives of or the parents of adoptor although such collateral relatives and parents of adoptor shall have the right of inheritance from adoptee. All rights and duties including those of inheritance and succession between adoptee, his or her natural parents, their issue, collateral relatives, and so forth, shall be cut off. In the event one of the natural parents shall be the spouse of petitioner, then the rights and relations as between adoptee, such natural parent, and his or her parents and collateral relatives, including mutual rights of inheritance and succession, shall in nowise be altered.

Adoptee's family name; given name.

The family name of the adoptee shall be changed to that of adoptor unless the decree shall otherwise provide, and the given name of the adoptee may be fixed or changed at the same time.

Records open to inspection upon court order only.

SEC. 6. Records and papers in adoption proceedings, after the petition is filed and prior to the entry of a final decree, shall be open to inspection by the parties or their attorneys and members of the Board of Public Welfare or their agents, upon order of the court. Upon the entry of a final decree the Board of Public Welfare and the clerk of the court shall seal all papers in the proceedings. Said seals shall not be broken, and said papers shall not be inspected by any person, including the parties to the proceeding, except upon order of the court. Application for leave to inspect papers in adoption proceedings shall be by petition and shall be granted only for extraordinary cause shown. The court may appoint a master to consider and investigate the facts upon which such a petition is based, who shall make his findings and recommendations to the court.

Docket to be kept.

The clerk of the court shall keep a docket of all adoption proceedings which shall only be inspected upon order of the court upon the same conditions hereinabove set out for the inspection of papers.

Section repealed.

Provisions not retroactive, etc.

SEC. 7. Section 395 (title 15, sec. 1, New Code) of the Code of Law of the District of Columbia is hereby repealed. The provisions hereof shall have no retroactive effect and shall not be construed as affecting in any way the rights and relations obtained by any decree of adoption entered heretofore, and all proceedings instituted and pending on the date of this enactment shall be carried to their final determination in accordance with the provisions of section 395 as if this Act had not been enacted, and all orders and decrees entered therein shall remain valid and binding on all parties thereby affected.

Approved, August 25, 1937.

[CHAPTER 775]

August 25, 1937
[S. 2613]
[Public, No. 371]

AN ACT

For the relief of certain applicants for oil and gas permits and leases.

Public lands.
Issue of oil and gas permits, etc., to certain applicants authorized.
41 Stat. 441; 49 Stat. 675.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to issue oil and gas prospecting permits pursuant to applications filed therefor under section 13 of the Act of February 25, 1920 (41 Stat. 437), ninety days or more prior to the date of the amendatory Act of August 21, 1935 (49 Stat. 674), by Blanche S. Trigg, attorney in fact for the respective applicants, said applications bearing serial numbers Las Cruces 050186, 050589, 050590, 050591, 050592, 050595, 050607, 050903, 050911, 050912, 050913, 050914, 050916, 050917, 050918, 050922, 051017, 051018, 051052, 051053, 051054, 051055, 051056, 051125, 051127, 051128, 051129, 051160, 051161, 051162, 051163, 051173, 051201,

051202, 051203, 051204, 051205, 051206, 051207, 051208, 051209, 051210, 051211, 051239, 051241, 051242, 051243, 051244, 051245, 051246, 051247, 051248, 051249, 051250, 051251, 051252, 051255, 051256, 051257, 051258, 051259, 051260, 051262, 051264, 051266, Santa Fe 069715, 069716, 069799, 069800, 069801, 069803, 069805, 069806, 069807, 070093, 070094, and to issue oil and gas leases under the ninth and tenth provisos of section 13 of the Act of February 25, 1920, as amended by the Act of August 21, 1935, pursuant to applications for prospecting permits filed after ninety days prior to the effective date of the amendatory Act by said attorney in fact, said applications bearing serial numbers Las Cruces 051275, 051301, 051302, 051303, 051304, 051305, 051321, 051322, 051323, 051324, 051325, 052231, 052232, 052233, 052234, 052235, 052236, 052237, notwithstanding that the proof of qualifications submitted by each applicant in connection with his application was not under oath although acknowledged before a notary public, and notwithstanding that a curative qualifying affidavit was not filed until after the passage of the amendatory Act of August 21, 1935, the delay in furnishing said curative qualifying affidavit being attributable to the suspension in the General Land Office of action on all applications for prospecting permits pending the enactment of the aforesaid amendatory Act and the promulgation of regulations thereunder: *Provided*, That the lands applied for and described in said applications are unreserved and unappropriated public lands not subject to prior claims and that the applications are otherwise regular and allowable.

Proviso.
Condition.

Approved, August 25, 1937.

[CHAPTER 776]

AN ACT

To amend paragraph (1) of section 22 of the Interstate Commerce Act, as amended.

August 25, 1937
[S. 2619]
[Public, No. 372]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of paragraph (1) of section 22 of the Interstate Commerce Act, as amended, as reads as follows: "Nothing in this part shall prevent any carrier or carriers subject to this part from giving reduced rates for the transportation of property to or from any section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drough [1], epidemic, pestilence, or other calamitous visitation or disaster, if such reduced rates have first been authorized by order of the Commission (with or without a hearing); but in any such order the Commission shall define such section and shall specify the period during which such reduced rates are to remain in effect." is amended to read as follows: "Nothing in this part shall prevent any carrier or carriers subject to this part from giving reduced rates for the transportation of property to or from any section of the country with the object of providing relief in case of earthquake, flood, fire, famine, drought, epidemic, pestilence, or other calamitous visitation or disaster, if such reduced rates have first been authorized by order of the Commission (with or without a hearing); but in any such order the Commission shall (1) define such section, (2) specify the period during which such reduced rates are to remain in effect, and (3) clearly define the class or classes of persons entitled to such reduced rates: *Provided*, That any such order may define the class or classes entitled to such reduced rates as being persons designated as being in distress and in need of relief by agents of the United States or any State authorized to assist in relieving the distress

Interstate Commerce Act, amendment.
Reduced transportation charges in cases of disaster, etc.
24 Stat. 387.
49 U. S. C. § 22.

Provisions governing reduction.

Proviso.
Order may specify classes benefited.

[1] So in original.

caused by any such calamitous visitation or disaster. No carrier subject to the provisions of this part shall be deemed to have violated the provisions of such part with respect to undue or unreasonable preference or unjust discrimination by reason of the fact that such carrier extends such reduced rates only to the class or classes of persons defined in the order of the Commission authorizing such reduced rates."

Approved, August 25, 1937.

[CHAPTER 777]

AN ACT

August 25, 1937
[S. 2849]
[Public, No 373]

To prohibit certain agreements fixing fees or compensation in receivership, bankruptcy, or reorganization proceedings, to prohibit the appointment of certain persons as receiver or trustee, and for other purposes.

Receivership, bankruptcy, etc.
Agreements fixing fees in, prohibited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it shall be unlawful for any party in interest, or any attorney for any party in interest, in any receivership, bankruptcy, or reorganization proceeding, in or under the supervision of any court of the United States, to enter into any agreement, written or oral, express or implied, with any other party in interest, or any attorney of any other party in interest, in such proceeding for the purpose of fixing the amount of the fees or other compensation to be paid to any party in interest or any attorney of any party in interest in such proceeding, for services rendered in connection therewith when such fees or other compensation are to be paid from the assets of the estate in receivership, bankruptcy or reorganization. As used in this section, the term "party in interest" includes any debtor, creditor, receiver, or trustee and any representative of any of them.

"Party in interest" defined.

Approval of unlawful fees prohibited.

(b) It shall be unlawful for the judge of any court of the United States to approve the payment of any fees or compensation the amount of which is fixed as the result of any act declared to be unlawful by subsection (a) of this section.

Appointments of relatives of judge.

(c) It shall be unlawful for the Judge of any court of the United States to appoint as Receiver, or Trustee, any person related to such Judge by consanguinity, or affinity, within the fourth degree.

Penalty.

(d) Any person who commits any act declared by this section to be unlawful shall, upon conviction, be fined not more than $10,000 or imprisoned not more than five years, or both.

Approved, August 25, 1937.

[CHAPTER 778]

AN ACT

August 25, 1937
[S. 2851]
[Public, No. 374]

To authorize the reservation of minerals in future sales of lands of the Choctaw-Chickasaw Indians in Oklahoma.

Choctaw and Chickasaw Indians, Okla.
Reservation of mineral rights, etc., in future land sales.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter, in all sales of tribal lands of the Choctaw and Chickasaw Indians in Oklahoma provided for by existing law, the Secretary of the Interior is hereby authorized to offer such lands for sale subject to a reservation of the mineral rights therein, including oil and gas, for the benefit of said Indians, whenever in his judgment the interests of the Indians will best be served thereby.

Approved, August 25, 1937.

[CHAPTER 779]

AN ACT

August 25, 1937
[S. 2888]
[Public, No. 375]

To authorize the Secretary of the Interior to lease or sell certain lands of the Agua Caliente or Palm Springs Reservation, California, for public airport use, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the consent of a majority of the adult members of the Agua Caliente or Palm Springs Band of Indians, the Secretary of the Interior be, and he is hereby, authorized in his discretion to lease or sell, under such rules and regulations as he may prescribe, to the Board of Supervisors, Riverside County, California, for a public airport and other uses and purposes incidental or appurtenant thereto, all or part of section 18, township 4 south, range 5 east, San Bernardino meridian, California; such lease may be assigned with the consent of the Secretary of the Interior to the city of Palm Springs if and when said city is incorporated.

Palm Springs Indian Reservation, Calif.
Lease, etc., of lands for public airport, authorized.

SEC. 2. Any lease executed pursuant to authority contained in this Act shall be for a period of time not to exceed twenty-five years and may be renewable in the discretion of the Secretary of the Interior upon such terms and for such a period of time as he may prescribe. The renewal period, however, shall not exceed the term of the original lease. The proceeds derived from the leasing of said lands shall be distributed in per-capita payments to the properly enrolled members of the band having rights on the reservation.

Duration of lease; renewal.

SEC. 3. In the event the land is sold as herein authorized, the proceeds from such sale shall be deposited in the Treasury of the United States to the credit of the Agua Caliente or Palm Springs Band of Indians and shall draw interest at the rate of 4 per centum per annum which interest shall be distributed in per-capita payments to properly enrolled members of the band.

Use of proceeds if land sold.

Approved, August 25, 1937.

[CHAPTER 780]

AN ACT

August 25, 1937
[S. 2912]
[Public, No. 376]

To authorize the city of Ketchikan, Alaska, to issue bonds for street improvements, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the city of Ketchikan, Alaska, is hereby authorized and empowered to construct, reconstruct, enlarge, extend, improve, and repair all or any portion of its streets and sidewalks, and also to make such changes, extensions, betterments, and replacements as may thereby be rendered necessary or advisable in its sewers, water systems, electric current lines, telephone lines, and other public utilities; and for such purposes to issue bonds in any amount not exceeding $250,000.

Ketchikan, Alaska.
Bond issue authorized for public improvements.

SEC. 2. Before said bonds shall be issued, a special election shall be ordered by the common council of the said city of Ketchikan, Alaska, at which election the question of whether such bonds shall be issued in the amount above specified for the purpose hereinbefore set forth shall be submitted to the qualified electors of said city of Ketchikan, Alaska, whose names appear on the last assessment roll of said city, for purposes of municipal taxation. The form of the ballot shall be such that the electors may vote for or against the issuance of bonds for the purposes herein specified up to the amount herein authorized. Not less than twenty days' notice of such election shall be given to the public by posting notices of same in three

Special election.

Ballot.

Notice; statement therein.

conspicuous places within the corporate limits of the city of Ketchikan, Alaska, one of which shall be at the front door of the United States post office at Ketchikan, Alaska. The election notice shall specifically state the amount of bonds proposed to be issued for the purposes herein specified. The registration for such election, the manner of conducting the same, and the canvass of the returns of said election shall be, as nearly as practicable, in accordance with the requirements of law in general or special elections in said municipality; and such bonds shall be issued for the purposes herein authorized only upon condition that not less than 65 per centum of the votes cast at such election in said municipality shall be in favor of the issuance of said bonds for such purposes.

Registration for election; canvass of returns.

Bonds; form, maturity, etc.

Denominations.

Registration privileges.

Signatures, validity.

Coupons.

Interest rate.

SEC. 3. The bonds herein authorized shall be coupon in form and shall mature in not to exceed twenty years from the date thereof. Such bonds may bear such date or dates, may be in such denomination or denominations, may mature in such amounts and at such time or times not exceeding twenty years from the date thereof, may be payable at such place or places, may be sold at either public or private sale, may be nonredeemable or redeemable (either with or without premium), and may carry such registration privileges, as to either principal and interest or principal only, as shall be prescribed by the common council of said city of Ketchikan. The bonds shall bear the signatures of the mayor and of the clerk of the city of Ketchikan and shall have impressed thereon the official seal of said municipality. The coupons to be annexed to such bonds shall bear the facsimile signatures of the mayor and of the clerk of said municipality. In case any of the officers whose signatures or countersignatures appear on the bonds shall cease to be such officers before delivery of such bonds, said signatures or countersignatures, whether manual or facsimile, shall nevertheless be valid and sufficient for all purposes, the same as if said officers had remained in office until such delivery. Said bonds shall bear interest at a rate to be fixed by the common council of the city of Ketchikan, not to exceed, however, 6 per centum per annum, payable semiannually, and said bonds shall be sold at not less than the principal amount plus accrued interest.

Issue; payment.

SEC. 4. The bonds herein authorized to be issued shall be general obligations of the city of Ketchikan, Alaska, payable as to both interest and principal from ad-valorem taxes which shall be levied upon all of the taxable property within the corporate limits of such municipality in an amount sufficient to pay the interest on and the principal of such bonds as and when the same become due and payable.

Restriction on use of funds.

SEC. 5. No part of the funds arising from the sale of said bonds shall be used for any purpose or purposes other than those specified in this Act. Said bonds shall be sold only when and in such amounts as the common council of the city of Ketchikan shall direct; and the proceeds thereof shall be distributed only for the purposes hereinbefore mentioned and under the orders and direction of said common council from time to time as such proceeds may be required for said purposes.

Contracts for sale of bonds.

SEC. 6. The city of Ketchikan is hereby authorized to enter into contracts with the United States of America or any agency or instrumentality thereof for the sale of bonds issued in accordance with the provisions of this Act, and for the acceptance of a grant of money to aid said municipality in financing any of the public works hereinbefore mentioned, or for either; or to enter into contracts with any persons or corporations, public or private, for the sale of such bonds;

and such contracts may contain, subject to the provisions of this Act, such terms and conditions as may be agreed upon by and between the common council of said city of Ketchikan and the United States of America or any agency or instrumentality thereof, or any other purchaser of the bonds.

Terms and conditions.

SEC. 7. The provisions of the Act approved May 28, 1936, entitled "An Act to authorize municipal corporations in the Territory of Alaska to incur bonded indebtedness, and for other purposes" (49 Stat. 1388), as amended, shall not affect the issuance or payment of the bonds authorized by this Act or any proceedings taken hereunder.

Existing provisions not to affect issuance, etc.
49 Stat. 1388.
48 U. S. C., Supp. II, §§ 44a-e.

Approved, August 25, 1937.

[CHAPTER 781]

JOINT RESOLUTION

August 25, 1937
[S. J. Res. 135]
[Pub. Res., No. 71]

To amend the public resolution approved June 5, 1936, entitled "Joint resolution authorizing and requesting the President to extend to the Government of Sweden and individuals an invitation to join the Government and people of the United States in the observance of the three-hundredth anniversary of the first permanent settlement in the Delaware River Valley, and for other purposes."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of Public Resolution Numbered 102 of the Seventy-fourth Congress is amended by inserting a comma and the words "the Government of Finland" after the words "Government of Sweden" and before the word "and"; and by inserting the words "and Finnish" after the word "Swedish" and before the word "colonists".

Delaware River Valley tercentenary.
Invitation to Finland to participate in observance of.
49 Stat. 1487.

That section 2 be amended by inserting the words "the Government of Finland" after the words "Government of Sweden" and before the word "and".

Approved, August 25, 1937.

[CHAPTER 815]

AN ACT

August 26, 1937
[H. R. 8234]
[Public, No. 377]

To provide revenue, equalize taxation, prevent tax evasion and avoidance, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Revenue Act of 1937".

Revenue Act of 1937.

TITLE I—PERSONAL HOLDING COMPANIES

Title I—Personal holding companies.

SEC. 1. AMENDMENT OF 1936 ACT.

Title IA of the Revenue Act of 1936 is amended to read as follows:

49 Stat. 1732.
26 U. S. C., Supp. II, § 331.

"TITLE IA—ADDITIONAL INCOME TAXES

Title IA—Additional income taxes.

"SEC. 351. SURTAX ON PERSONAL HOLDING COMPANIES.

Surtax on personal holding companies.

"There shall be levied, collected, and paid, for each taxable year (in addition to the taxes imposed by Title I), upon the undistributed adjusted net income of every personal holding company a surtax equal to the sum of the following:

"(1) 65 per centum of the amount thereof not in excess of $2,000; plus

"(2) 75 per centum of the amount thereof in excess of $2,000.

"Personal holding company" defined.

"SEC. 352. DEFINITION OF PERSONAL HOLDING COMPANY.

"(a) GENERAL RULE.—For the purposes of this title and of Title I the term 'personal holding company' means any corporation if—

Gross income requirement.

"(1) GROSS INCOME REQUIREMENT.—At least 80 per centum of its gross income for the taxable year is personal holding company income as defined in section 353; but if the corporation is a personal holding company with respect to any taxable year, then, for each subsequent taxable year, the minimum percentage shall be 70 per centum in lieu of 80 per centum, until a taxable year during the whole of the last half of which the stock ownership required by paragraph (2) does not exist, or until the expiration of three consecutive taxable years in each of which less than 70 per centum of the gross income is personal holding company income; and

Stock ownership requirement.

"(2) STOCK OWNERSHIP REQUIREMENT.—At any time during the last half of the taxable year more than 50 per centum in value of its outstanding stock is owned, directly or indirectly, by or for not more than five individuals.

Exceptions.

"(b) EXCEPTIONS.—The term 'personal holding company' does not include a corporation exempt from taxation under section 101, a bank as defined in section 104, a life insurance company, a surety company, or, except with respect to a taxable year ending on or before the date of the enactment of the Revenue Act of 1937, a foreign personal holding company as defined in section 331.

Personal holding company income.

"SEC. 353. PERSONAL HOLDING COMPANY INCOME.

"For the purposes of this title the term 'personal holding company income' means the portion of the gross income which consists of:

Dividends, interest, etc.

"(a) Dividends, interest, royalties (other than mineral, oil, or gas royalties), annuities.

Stock and securities transactions.

"(b) STOCK AND SECURITIES TRANSACTIONS.—Except in the case of regular dealers in stock or securities, gains from the sale or exchange of stock or securities.

Commodities transactions.

"(c) COMMODITIES TRANSACTIONS.—Gains from futures transactions in any commodity on or subject to the rules of a board of trade or commodity exchange. This subsection shall not apply to gains by a producer, processor, merchant, or handler of the commodity which arise out of bona fide hedging transactions reasonably necessary to the conduct of its business in the manner in which such business is customarily and usually conducted by others.

Estates and trusts.

"(d) ESTATES AND TRUSTS.—Amounts includible in computing the net income of the corporation under Supplement E of Title I; and gains from the sale or other disposition of any interest in an estate or trust.

Personal service contracts.

"(e) PERSONAL SERVICE CONTRACTS.—(1) Amounts received under a contract under which the corporation is to furnish personal services; if some person other than the corporation has the right to designate (by name or by description) the individual who is to perform the services, or if the individual who is to perform the services is designated (by name or by description) in the contract; and (2) amounts received from the sale or other disposition of such a contract. This subsection shall apply with respect to amounts received for services under a particular contract only if at some time during the taxable year 25 per centum or more in value of the outstanding stock of the corporation is owned, directly or indirectly, by or for the individual who has performed, is to perform, or may be designated (by name or by description) as the one to perform, such services.

"(f) USE OF CORPORATION PROPERTY BY SHAREHOLDER.—Amounts received as compensation (however designated and from whomsoever received) for the use of, or right to use, property of the corporation in any case where, at any time during the taxable year, 25 per centum or more in value of the outstanding stock of the corporation is owned, directly or indirectly, by or for an individual entitled to the use of the property; whether such right is obtained directly from the corporation or by means of a sublease or other arrangement. Use of corporation property by shareholder

"(g) RENTS.—Rents, unless constituting 50 per centum or more of the gross income. For the purposes of this subsection the term 'rents' means compensation, however designated, for the use of, or right to use, property; but does not include amounts constituting personal holding company income under subsection (f). Rents.

"(h) MINERAL, OIL, OR GAS ROYALTIES.—Mineral, oil, or gas royalties, unless (1) constituting 50 per centum or more of the gross income, and (2) the deductions allowable under section 23 (a) (relating to expenses) other than compensation for personal services rendered by shareholders, constitute 15 per centum or more of the gross income. Mineral, oil, or gas royalties.

"SEC. 354. STOCK OWNERSHIP. Stock ownership.

"(a) CONSTRUCTIVE OWNERSHIP.—For the purpose of determining whether a corporation is a personal holding company, insofar as such determination is based on stock ownership under section 352 (a) (2), section 353 (e), or section 353 (f)— Constructive ownership.

"(1) STOCK NOT OWNED BY INDIVIDUAL.—Stock owned, directly or indirectly, by or for a corporation, partnership, estate, or trust shall be considered as being owned proportionately by its shareholders, partners, or beneficiaries. Stock not owned by individual.

"(2) FAMILY AND PARTNERSHIP OWNERSHIP.—An individual shall be considered as owning the stock owned, directly or indirectly, by or for his family or by or for his partner. For the purposes of this paragraph the family of an individual includes only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants. Family and partnership ownership.

"(3) OPTIONS.—If any person has an option to acquire stock such stock shall be considered as owned by such person. For the purposes of this paragraph an option to acquire such an option, and each one of a series of such options, shall be considered as an option to acquire such stock. Options.

"(4) APPLICATION OF FAMILY-PARTNERSHIP AND OPTION RULES.—Paragraphs (2) and (3) shall be applied— Application of family-partnership and option rules.

"(A) For the purposes of the stock ownership requirement provided in section 352 (a) (2), if, but only if, the effect is to make the corporation a personal holding company;

"(B) For the purposes of section 353 (e) (relating to personal service contracts), or of section 353 (f) (relating to the use of property by shareholders), if, but only if, the effect is to make the amounts therein referred to includible under such subsection as personal holding company income.

"(5) CONSTRUCTIVE OWNERSHIP AS ACTUAL OWNERSHIP.—Stock constructively owned by a person by reason of the application of paragraph (1) or (3) shall, for the purpose of applying paragraph (1) or (2), be treated as actually owned by such person; but stock constructively owned by an individual by reason of the application of paragraph (2) shall not be treated as owned by him for the purpose of again applying such paragraph in order to make another the constructive owner of such stock. Constructive ownership as actual ownership.

Option rule in lieu of family and partnership rule.

"(6) OPTION RULE IN LIEU OF FAMILY AND PARTNERSHIP RULE.—If stock may be considered as owned by an individual under either paragraph (2) or (3) it shall be considered as owned by him under paragraph (3).

Convertible securities.

"(b) CONVERTIBLE SECURITIES.—Outstanding securities convertible into stock (whether or not convertible during the taxable year) shall be considered as outstanding stock—

"(1) For the purpose of the stock ownership requirement provided in section 352 (a) (2), but only if the effect of the inclusion of all such securities is to make the corporation a personal holding company;

"(2) For the purpose of section 353 (e) (relating to personal service contracts), but only if the effect of the inclusion of all such securities is to make the amounts therein referred to includible under such subsection as personal holding company income; and

"(3) For the purpose of section 353 (f) (relating to the use of property by shareholders), but only if the effect of the inclusion of all such securities is to make the amounts therein referred to includible under such subsection as personal holding company income.

"The requirement in paragraphs (1), (2), and (3) that all convertible securities must be included if any are to be included shall be subject to the exception that, where some of the outstanding securities are convertible only after a later date than in the case of others, the class having the earlier conversion date may be included although the others are not included, but no convertible securities shall be included unless all outstanding securities having a prior conversion date are also included.

Undistributed adjusted net income. Definition.

"SEC. 355. UNDISTRIBUTED ADJUSTED NET INCOME.

"For the purposes of this title the term 'undistributed adjusted net income' means the adjusted net income (as defined in section 356) minus—

Computation.

"(a) The amount of the dividends paid credit provided in section 27, computed without the benefit of subsection (b) thereof (relating to the dividend carry-over); and

"(b) Amounts used or irrevocably set aside to pay or to retire indebtedness of any kind incurred prior to January 1, 1934, if such amounts are reasonable with reference to the size and terms of such indebtedness.

Adjusted net income. Definition.

"SEC. 356. ADJUSTED NET INCOME.

"For the purposes of this title the term 'adjusted net income' means the net income with the following adjustments:

Additional deductions.

"(a) ADDITIONAL DEDUCTIONS.—There shall be allowed as deductions—

Computation.

"(1) Federal income, war-profits, and excess-profits taxes paid or accrued during the taxable year to the extent not allowed as a deduction under section 23; but not including the tax imposed by section 102, section 351 (either before or after its amendment by the Revenue Act of 1937), or a section of a prior income-tax law corresponding to either of such sections.

49 Stat. 1658, 1676, 1732.

Charitable, etc., contributions. 49 Stat. 1661.

"(2) In lieu of the deduction allowed by section 23 (q), contributions or gifts made within the taxable year to or for the use of donees described in section 23 (q) for the purposes therein specified, to an amount which does not exceed 15 per centum of the taxpayer's net income, computed without the benefit of this paragraph and section 23 (q), and without the deduction of the amount disallowed under subsection (b) of this section.

"(3) In the case of a corporation organized prior to January 1, 1936, to take over the assets and liabilities of the estate of a decedent, amounts paid in liquidation of any liability of the corporation based on the liability of the decedent to make contributions or gifts to or for the use of donees described in section 23 (o) for the purposes therein specified, to the extent such liability of the decedent existed prior to January 1, 1934. No deduction shall be allowed under paragraph (2) of this subsection for a taxable year for which a deduction is allowed under this paragraph. Assets and liabilities of decedent's estate.

"(b) DEDUCTIONS NOT ALLOWED.—The aggregate of the deductions allowed under section 23 (a), relating to expenses, and section 23 (l), relating to depreciation, which are allocable to the operation and maintenance of property owned or operated by the corporation, shall be allowed only in an amount equal to the rent or other compensation received for the use or right to use the property, unless it is established (under regulations prescribed by the Commissioner with the approval of the Secretary) to the satisfaction of the Commissioner: Deductions not allowed.

"(1) That the rent or other compensation received was the highest obtainable, or, if none was received, that none was obtainable;

"(2) That the property was held in the course of a business carried on bona fide for profit; and

"(3) Either that there was reasonable expectation that the operation of the property would result in a profit, or that the property was necessary to the conduct of the business.

"SEC. 357. MEANING OF TERMS USED. Meaning of terms used. 49 Stat. 1652.

"The terms used in this title shall have the same meaning as when used in Title I.

"SEC. 358. ADMINISTRATIVE PROVISIONS.

"All provisions of law (including penalties) applicable in respect of the taxes imposed by Title I of this Act, shall insofar as not inconsistent with this title, be applicable in respect of the tax imposed by this title, except that the provisions of section 131 of that title shall not be applicable. Administrative provisions. 49 Stat. 1696.

"SEC. 359. IMPROPER ACCUMULATION OF SURPLUS. Improper accumulation of surplus. 49 Stat. 1676.

"For surtax on corporations which accumulate surplus to avoid surtax on stockholders, see section 102.

"SEC. 360. FOREIGN PERSONAL HOLDING COMPANIES. Foreign personal holding companies. *Post*, p. 818.

"For provisions relating to foreign personal holding companies and their shareholders, see Supplement P of Title I."

SEC. 2. CHANGES IN CROSS-REFERENCES. Changes in cross references. 49 Stat. 1655, 1656, 1677.

Section 12 (c), section 14 (f), and section 102 (e) of the Revenue Act of 1936 are amended by striking out "section 351" and inserting in lieu thereof "Title IA".

SEC. 3. EFFECTIVE DATES. Effective dates. 49 Stat. 1732.

The amendment made by section 1 shall apply only with respect to taxable years beginning after December 31, 1936; and Title IA of the Revenue Act of 1936, as it existed prior to such amendment, shall not apply to a foreign personal holding company (as defined in section 331 of the Revenue Act of 1936, added to such Act by section 201 of this Act) with respect to any taxable year ending after the date of the enactment of this Act. *Post*, p. 818.

Title II—Foreign personal holding companies.

TITLE II—FOREIGN PERSONAL HOLDING COMPANIES

Inclusion of income of, in income of United States shareholders.
49 Stat. 1731.

SEC. 201. INCLUSION IN INCOME OF UNITED STATES SHAREHOLDERS OF INCOME OF FOREIGN PERSONAL HOLDING COMPANIES.

The Revenue Act of 1936 is amended by adding after Supplement O of Title I a new Supplement to read as follows:

Foreign personal holding companies.

"Supplement P—Foreign Personal Holding Companies

Definition of term.

"SEC. 331. DEFINITION OF FOREIGN PERSONAL HOLDING COMPANY.

"(a) GENERAL RULE.—For the purposes of this title and of Title IA the term 'foreign personal holding company' means any foreign corporation if—

Gross income requirement.
Post, p. 820.

"(1) GROSS INCOME REQUIREMENT.—At least 60 per centum of its gross income (as defined in section 334 (a)) for the taxable year is foreign personal holding company income as defined in section 332; but if the corporation is a foreign personal holding company with respect to any taxable year, then, for each subsequent taxable year, the minimum percentage shall be 50 per centum in lieu of 60 per centum, until a taxable year during the whole of which the stock ownership required by paragraph (2) does not exist, or until the expiration of three consecutive taxable years in each of which less than 50 per centum of the gross income is foreign personal holding company income. For the purposes of this paragraph there shall be included in the gross income the amount includible therein as a dividend by reason of the application of section 334 (c) (2); and

Post, p. 821.

Stock ownership requirement.

"(2) STOCK OWNERSHIP REQUIREMENT.—At any time during the taxable year more than 50 per centum in value of its outstanding stock is owned, directly or indirectly, by or for not more than five individuals who are citizens or residents of the United States, hereinafter called 'United States group'.

Exceptions.

"(b) EXCEPTIONS.—The term 'foreign personal holding company' does not include a corporation exempt from taxation under section 101.

Income.

"SEC. 332. FOREIGN PERSONAL HOLDING COMPANY INCOME.

Term defined.

"For the purposes of this title the term 'foreign personal holding company income' means the portion, of the gross income determined for the purposes of section 331 (a) (1), which consists of:

Dividends, interest, etc.

"(a) Dividends, interest, royalties, annuities.

Stock and securities transactions.

"(b) STOCK AND SECURITIES TRANSACTIONS.—Except in the case of regular dealers in stock or securities, gains from the sale or exchange of stock or securities.

Commodities transactions.

"(c) COMMODITIES TRANSACTIONS.—Gains from futures transactions in any commodity on or subject to the rules of a board of trade or commodity exchange. This subsection shall not apply to gains by a producer, processor, merchant, or handler of the commodity which arise out of bona fide hedging transactions reasonably necessary to the conduct of its business in the manner in which such business is customarily and usually conducted by others.

Estates and trusts.

"(d) ESTATES AND TRUSTS.—Amounts includible in computing the net income of the corporation under Supplement E; and gains from the sale or other disposition of any interest in an estate or trust.

Personal service contracts.

"(e) PERSONAL SERVICE CONTRACTS.—(1) Amounts received under a contract under which the corporation is to furnish personal services; if some person other than the corporation has the right to designate (by name or by description) the individual who is to perform the services, or if the individual who is to perform the services is designated (by name or by description) in the contract; and (2) amounts

received from the sale or other disposition of such a contract. This subsection shall apply with respect to amounts received for services under a particular contract only if at some time during the taxable year 25 per centum or more in value of the outstanding stock of the corporation is owned, directly or indirectly, by or for an individual who has performed, is to perform, or may be designated (by name or by description) as the one to perform, such services.

Use of corporation property by shareholder.

"(f) USE OF CORPORATION PROPERTY BY SHAREHOLDER.—Amounts received as compensation (however designated and from whomsoever received) for the use of, or right to use, property of the corporation in any case where, at any time during the taxable year, 25 per centum or more in value of the outstanding stock of the corporation is owned, directly or indirectly, by or for the individual entitled to the use of the property; whether such right is obtained directly from the corporation or by means of a sublease or other arrangement.

Rents.

"(g) RENTS.—Rents, unless constituting 50 per centum or more of the gross income. For the purposes of this subsection the term 'rents' means compensation, however designated, for the use of, or right to use, property; but does not include amounts constituting foreign personal holding company income under subsection (f).

Stock ownership.

"SEC. 333. STOCK OWNERSHIP.

Constructive ownership.

"(a) CONSTRUCTIVE OWNERSHIP.—For the purpose of determining whether a foreign corporation is a foreign personal holding company, insofar as such determination is based on stock ownership under section 331 (a) (2), section 332 (e), or section 332 (f)—

Ante, p. 818.

Stock not owned by individual.

"(1) STOCK NOT OWNED BY INDIVIDUAL.—Stock owned, directly or indirectly, by or for a corporation, partnership, estate, or trust shall be considered as being owned proportionately by its shareholders, partners, or beneficiaries.

Family and partnership ownership.

"(2) FAMILY AND PARTNERSHIP OWNERSHIP.—An individual shall be considered as owning the stock owned, directly or indirectly, by or for his family or by or for his partner. For the purposes of this paragraph the family of an individual includes only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

Options.

"(3) OPTIONS.—If any person has an option to acquire stock such stock shall be considered as owned by such person. For the purposes of this paragraph an option to acquire such an option, and each one of a series of such options, shall be considered as an option to acquire such stock.

Application of family-partnership and option rules.

"(4) APPLICATION OF FAMILY-PARTNERSHIP AND OPTION RULES.—Paragraphs (2) and (3) shall be applied—

Ante, p. 818.

"(A) For the purposes of the stock ownership requirement provided in section 331 (a) (2), if, but only if, the effect is to make the corporation a foreign personal holding company;

Ante, p. 818.

"(B) For the purposes of section 332 (e) (relating to personal service contracts), or of section 332 (f) (relating to the use of property by shareholders), if, but only if, the effect is to make the amounts therein referred to includible under such subsection as foreign personal holding company income.

Constructive ownership as actual ownership.

"(5) CONSTRUCTIVE OWNERSHIP AS ACTUAL OWNERSHIP.—Stock constructively owned by a person by reason of the application of paragraph (1) or (3) shall, for the purpose of applying paragraph (1) or (2), be treated as actually owned by such person; but stock constructively owned by an individual by reason of the application of paragraph (2) shall not be treated as owned by him for the purpose of again applying such paragraph in order to make another the constructive owner of such stock.

Option rule in lieu of family and partnership rule.

"(6) OPTION RULE IN LIEU OF FAMILY AND PARTNERSHIP RULE.—If stock may be considered as owned by an individual under either paragraph (2) or (3) it shall be considered as owned by him under paragraph (3).

Convertible securities.

"(b) CONVERTIBLE SECURITIES.—Outstanding securities convertible into stock (whether or not convertible during the taxable year) shall be considered as outstanding stock—

"(1) For the purpose of the stock ownership requirement provided in section 331 (a) (2), but only if the effect of the inclusion of all such securities is to make the corporation a foreign personal holding company;

"(2) For the purpose of section 332 (e) (relating to personal service contracts), but only if the effect of the inclusion of all such securities is to make the amounts therein referred to includible under such subsection as foreign personal holding company income; and

"(3) For the purpose of section 332 (f) (relating to the use of property by shareholders), but only if the effect of the inclusion of all such securities is to make the amounts therein referred to includible under such subsection as foreign personal holding company income.

"The requirement in paragraphs (1), (2), and (3) that all convertible securities must be included if any are to be included shall be subject to the exception that, where some of the outstanding securities are convertible only after a later date than in the case of others, the class having the earlier conversion date may be included although the others are not included, but no convertible securities shall be included unless all outstanding securities having a prior conversion date are also included.

Gross income.

"SEC. 334. GROSS INCOME OF FOREIGN PERSONAL HOLDING COMPANIES.

Term defined.

"(a) GENERAL RULE.—As used in this Supplement with respect to a foreign corporation the term 'gross income' means gross income computed (without regard to the provisions of Supplement I) as if the foreign corporation were a domestic corporation.

Additions to gross income.

"(b) ADDITIONS TO GROSS INCOME.—In the case of a foreign personal holding company (whether or not a United States group, as defined in section 331 (a) (2), existed with respect to such company on the last day of its taxable year) which was a shareholder in another foreign personal holding company on the day in the taxable year of the second company which was the last day on which a United States group existed with respect to the second company, there shall be included, as a dividend, in the gross income of the first company, for the taxable year in which or with which the taxable year of the second company ends, the amount the first company would have received as a dividend if on such last day there had been distributed by the second company, and received by the shareholders, an amount which bears the same ratio to the undistributed Supplement P net income of the second company for its taxable year as the portion of such taxable year up to and including such last day bears to the entire taxable year.

Application of subsection (b).

"(c) APPLICATION OF SUBSECTION (b).—The rule provided in subsection (b)—

"(1) shall be applied in the case of a foreign personal holding company for the purpose of determining its undistributed Supplement P net income which, or a part of which, is to be included in the gross income of its shareholders, whether United States shareholders or other foreign personal holding companies;

"(2) shall be applied in the case of every foreign corporation with respect to which a United States group exists on some day of its taxable year, for the purpose of determining whether such corporation meets the gross income requirements of section 331 (a) (1).

"SEC. 335. UNDISTRIBUTED SUPPLEMENT P NET INCOME.

Undistributed Supplement P net income. Term defined.

"For the purposes of this title the term 'undistributed Supplement P net income' means the Supplement P net income (as defined in section 336) minus the amount of the dividends paid credit provided in section 27, computed without the benefit of subsection (b) thereof (relating to the dividend carry-over).

"SEC. 336. SUPPLEMENT P NET INCOME.

Supplement P net income. Term defined.

"For the purposes of this title the term 'Supplement P net income' means the net income with the following adjustments:

"(a) ADDITIONAL DEDUCTIONS.—There shall be allowed as deductions—

Additional deductions.

"(1) Federal income, war-profits, and excess-profits taxes paid or accrued during the taxable year to the extent not allowed as a deduction under section 23; but not including the tax imposed by section 102, section 351 (either before or after its amendment by the Revenue Act of 1937), or a section of a prior income-tax law corresponding to either of such sections.

Computation. 49 Stat. 1658, 1676, 1732

"(2) In lieu of the deduction allowed by section 23 (q), contributions or gifts made within the taxable year to or for the use of donees described in section 23 (q) for the purposes therein specified, to an amount which does not exceed 15 per centum of the company's net income, computed without the benefit of this paragraph and section 23 (q), and without the deduction of the amount disallowed under subsection (b) of this section, and without the inclusion in gross income of the amounts includible therein as dividends by reason of the application of the provisions of section 334 (b) (relating to the inclusion in the gross income of a foreign personal holding company of its distributive share of the undistributed Supplement P net income of another foreign personal holding company in which it is a shareholder).

Charitable, etc., contributions 49 Stat. 1661.

"(b) DEDUCTIONS NOT ALLOWED.—

Deductions not allowed.

"(1) TAXES AND PENSION TRUSTS.—The deductions provided in section 23 (d), relating to taxes of a shareholder paid by the corporation, and in section 23 (p), relating to pension trusts, shall not be allowed.

Taxes and pension trusts. 49 Stat. 1661.

"(2) EXPENSES AND DEPRECIATION.—The aggregate of the deductions allowed under section 23 (a), relating to expenses, and section 23 (l), relating to depreciation, which are allocable to the operation and maintenance of property owned or operated by the company, shall be allowed only in an amount equal to the rent or other compensation received for the use or right to use the property, unless it is established (under regulations prescribed by the Commissioner with the approval of the Secretary) to the satisfaction of the Commissioner:

Expenses and depreciation. 49 Stat. 1658.

"(A) That the rent or other compensation received was the highest obtainable, or, if none was received, that none was obtainable;

"(B) That the property was held in the course of a business carried on bona fide for profit; and

"(C) Either that there was reasonable expectation that the operation of the property would result in a profit, or that the property was necessary to the conduct of the business.

Corporation income taxed to United States shareholders.
General rule.

"SEC. 337. CORPORATION INCOME TAXED TO UNITED STATES SHAREHOLDERS.

"(a) GENERAL RULE.—The undistributed Supplement P net income of a foreign personal holding company shall be included in the gross income of the citizens or residents of the United States, domestic corporations, domestic partnerships, and estates or trusts (other than estates or trusts the gross income of which under this title includes only income from sources within the United States), who are shareholders in such foreign personal holding company (hereinafter called 'United States shareholders') in the manner and to the extent set forth in this Supplement.

Amount included in gross income.

"(b) AMOUNT INCLUDED IN GROSS INCOME.—Each United States shareholder, who was a shareholder on the day in the taxable year of the company which was the last day on which a United States group (as defined in section 331 (a) (2)) existed with respect to the company, shall include in his gross income, as a dividend, for the taxable year in which or with which the taxable year of the company ends, the amount he would have received as a dividend if on such last day there had been distributed by the company, and received by the shareholders, an amount which bears the same ratio to the undistributed Supplement P net income of the company for the taxable year as the portion of such taxable year up to and including such last day bears to the entire taxable year.

Credit for obligations of United States and its instrumentalities.

"(c) CREDIT FOR OBLIGATIONS OF U. S. AND ITS INSTRUMENTALITIES.—Each United States shareholder shall be allowed a credit against net income, for the purpose of the tax imposed by section 11, 13, 14, 201, or 204, of his proportionate share of the interest specified in section 25 (a) (1) or (2) which is included in the gross income of the company otherwise than by the application of the provisions of section 334 (b) (relating to the inclusion in the gross income of a foreign personal holding company of its distributive share of the undistributed Supplement P net income of another foreign personal holding company in which it is a shareholder).

Information in return.

"(d) INFORMATION IN RETURN.—Every United States shareholder who is required under subsection (b) to include in his gross income any amount with respect to the undistributed Supplement P net income of a foreign personal holding company and who, on the last day on which a United States group existed with respect to the company, owned 5 per centum or more in value of the outstanding stock of such company, shall set forth in his return in complete detail the gross income, deductions and credits, net income, Supplement P net income, and undistributed Supplement P net income of such company.

Effect on capital account of foreign personal holding company.

"(e) EFFECT ON CAPITAL ACCOUNT OF FOREIGN PERSONAL HOLDING COMPANY.—An amount which bears the same ratio to the undistributed Supplement P net income of the foreign personal holding company for its taxable year as the portion of such taxable year up to and including the last day on which a United States group existed with respect to the company bears to the entire taxable year, shall, for the purpose of determining the effect of distributions in subsequent taxable years by the corporation, be considered as a contribution to capital.

Basis of stock in hands of shareholders.

"(f) BASIS OF STOCK IN HANDS OF SHAREHOLDERS.—The amount required to be included in the gross income of a United States shareholder under subsection (b) shall, for the purpose of adjusting the basis of his stock with respect to which the distribution would have been made (if it had been made), be treated as having been reinvested by the shareholder as a contribution to the capital of the corporation; but only to the extent to which such amount is included

in his gross income in his return, increased or decreased by any adjustment of such amount in the last determination of the shareholder's tax liability, made before the expiration of seven years after the date prescribed by law for filing the return.

"(g) BASIS OF STOCK IN CASE OF DEATH.—For basis of stock or securities in a foreign personal holding company acquired from a decedent, see section 113 (a) (5). Basis, in case of death.

"(h) LIQUIDATION.—For amount of gain taken into account on liquidation of foreign personal holding company, see section 115 (c). Liquidation 49 Stat. 1682.

"(i) PERIOD OF LIMITATION ON ASSESSMENT AND COLLECTION.—For period of limitation on assessment and collection without assessment, in case of failure to include in gross income the amount properly includible therein under subsection (b), see section 275 (d). Period of limitation on assessment and collection. 49 Stat. 1726

"SEC. 338. INFORMATION RETURNS BY OFFICERS AND DIRECTORS. Information returns by officers and directors.

"(a) MONTHLY RETURNS.—On the fifteenth day of each month each individual who on such day is an officer or a director of a foreign corporation which, with respect to its taxable year (if not beginning more than twelve months before the date of the enactment of the Revenue Act of 1937) preceding the taxable year in which such month occurs, was a foreign personal holding company, shall file with the Commissioner a return setting forth with respect to the preceding calendar month the name and address of each shareholder, the class and number of shares held by each, together with any changes in stockholdings during such period, the name and address of any holder of securities convertible into stock of such corporation, and such other information with respect to the stock and securities of the corporation as the Commissioner with the approval of the Secretary shall by regulations prescribe as necessary for carrying out the provisions of this Act. The Commissioner, with the approval of the Secretary, may by regulations prescribe, as the period with respect to which returns shall be filed, a longer period than a month. In such case the return shall be due on the fifteenth day of the succeeding period, and shall be filed by the individuals who on such day are officers and directors of the corporation. Monthly returns.

"(b) ANNUAL RETURNS.—On the sixtieth day after the close of the taxable year of a foreign personal holding company each individual who on such sixtieth day is an officer or director of the corporation shall file with the Commissioner a return setting forth— Annual returns.

"(1) In complete detail the gross income, deductions and credits, net income, Supplement P net income, and undistributed Supplement P net income of such foreign personal holding company for such taxable year; and

"(2) The same information with respect to such preceding taxable year as is required in subsection (a); except that if all the required reports with respect to such year have been filed under subsection (a) no information under this paragraph need be set forth in the annual report.

"SEC. 339. INFORMATION RETURNS BY SHAREHOLDERS. Information returns by shareholders.

"(a) MONTHLY RETURNS.—On the fifteenth day of each month each United States shareholder, by or for whom 50 per centum or more in value of the outstanding stock of a foreign corporation is owned directly or indirectly (including in the case of an individual, stock owned by the members of his family as defined in section 333 (a) (2)), if such foreign corporation with respect to its taxable year (if not beginning more than twelve months before the date of the enactment of the Revenue Act of 1937) preceding the taxable year in which such month occurs was a foreign personal holding company, shall file with the Commissioner a return setting forth with Monthly returns. *Ante*, p. 819.

respect to the preceding calendar month the name and address of each shareholder, the class and number of shares held by each, together with any changes in stockholdings during such period, the name and address of any holder of securities convertible into stock of such corporation, and such other information with respect to the stock and securities of the corporation as the Commissioner with the approval of the Secretary shall by regulations prescribe as necessary for carrying out the provisions of this Act. The Commissioner, with the approval of the Secretary, may by regulations prescribe, as the period with respect to which returns shall be filed, a longer period than a month. In such case the return shall be due on the fifteenth day of the succeeding period, and shall be filed by the persons who on such day are United States shareholders.

Annual returns.

"(b) ANNUAL RETURNS.—On the sixtieth day after the close of the taxable year of a foreign personal holding company each United States shareholder by or for whom on such sixtieth day more than 50 per centum of the outstanding stock of such company is owned directly or indirectly (including in the case of an individual, stock owned by members of his family as defined in section 333 (a) (2)), shall file with the Commissioner a return setting forth the same information with respect to such preceding taxable year as is required in subsection (a); except that if all the required reports with respect to such year have been filed under subsection (a) no information under this subsection need be set forth in the annual report.

Returns as to formation, etc., of foreign corporations.

"SEC. 340. RETURNS AS TO FORMATION, ETC., OF FOREIGN CORPORATIONS.

Requirement.

"(a) REQUIREMENT.—Under regulations prescribed by the Commissioner with the approval of the Secretary, any attorney, accountant, fiduciary, bank, trust company, financial institution, or other person—

"(1) Who, on or after the date of the enactment of the Revenue Act of 1937, aids, assists, counsels, or advises in, or with respect to, the formation, organization, or reorganization of any foreign corporation, shall, within 30 days thereafter, file with the Commissioner a return; or

"(2) Who, since December 31, 1933, and prior to 90 days after the date of the enactment of the Revenue Act of 1937, has aided, assisted, counseled, or advised in the formation, organization, or reorganization of any foreign corporation shall, within 90 days after the date of the enactment of such Act, file with the Commissioner a return.

Form and contents of return.

"(b) FORM AND CONTENTS OF RETURN.—Such return shall be in such form, and shall set forth, under oath, in respect of each such corporation, to the full extent of the information within the possession or knowledge or under the control of the person required to file the return, such information as the Commissioner with the approval of the Secretary prescribes by regulations as necessary for carrying out the provisions of this Act. Nothing in this section shall be construed to require the divulging of privileged communications between attorney and client.

Penalties.

"SEC. 341. PENALTIES.

Willful failure to comply with specified sections.
Ante, p. 823.

"Any person required under section 338, 339, or 340 to file a return, or to supply any information, who willfully fails to file such return, or supply such information, at the time or times required by law or regulations, shall, in lieu of the penalties provided in section 145 (a) for such offense, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than $2,000, or imprisoned for not more than one year, or both."

49 Stat. 1703.

Effective date.

SEC. 202. EFFECTIVE DATE.

Provisions relating to foreign personal holding companies. *Ante*, p 818.

Supplement P of Title I of the Revenue Act of 1936, added to such Act by section 201 of this Act, shall not apply to a taxable year (either of a shareholder or of a foreign corporation) ending on or before the date of the enactment of this Act; and in no case shall the stock ownership requirement provided in section 331 (a) (2) of such Supplement be satisfied unless a United States group (as therein defined) existed with respect to the corporation after the date of the enactment of this Act. If under section 338 or 339 of such Supplement the date on which a return is required to be filed occurs prior to November 1, 1937, the return shall be considered as filed on time if filed prior to December 1, 1937.

Adjusted basis of stock of foreign personal holding company. General rule. 49 Stat. 1685.

SEC. 203. ADJUSTED BASIS OF STOCK OF FOREIGN PERSONAL HOLDING COMPANY.

Section 113 (b) (1) of the Revenue Act of 1936 is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following:

"and

"(E) to the extent provided in section 337 (f) in the case of the stock of United States shareholders in a foreign personal holding company."

Basis of stock in foreign personal holding company acquired from decedent. 49 Stat. 1682.

SEC. 204. BASIS OF STOCK IN FOREIGN PERSONAL HOLDING COMPANY ACQUIRED FROM DECEDENT.

Section 113 (a) (5) of the Revenue Act of 1936 is amended by adding at the end thereof a new sentence to read as follows:

"If the property was acquired by bequest, devise, or inheritance, or by the decedent's estate from the decedent, and if the decedent died after the date of the enactment of the Revenue Act of 1937, and if the property consists of stock or securities of a foreign corporation, which with respect to its taxable year next preceding the date of the decedent's death was a foreign personal holding company, then the basis shall be the fair market value of such property at the time of such acquisition or the basis in the hands of the decedent, whichever is lower."

Liquidation of foreign personal holding companies. 49 Stat. 1687.

Distribution.

SEC. 205. LIQUIDATION OF FOREIGN PERSONAL HOLDING COMPANIES.

Section 115 (c) of the Revenue Act of 1936 is amended by adding at the end thereof a new sentence to read as follows:

"If any distribution in complete liquidation (including any one of a series of distributions made by the corporation in complete cancellation or redemption of all its stock) is made by a foreign corporation which with respect to any taxable year beginning on or before, and ending after, the date of the enactment of the Revenue Act of 1937, was a foreign personal holding company, and with respect to which a United States group (as defined in section 331 (a) (2)) existed after the date of the enactment of the Revenue Act of 1937 and before January 1, 1938, then, despite the foregoing provisions of this subsection, 100 per centum of the gain recognized resulting from such distribution shall be taken into account in computing net income—

"(1) Unless such liquidation is completed before January 1, 1938; or

"(2) Unless (if it is established to the satisfaction of the Commissioner by evidence submitted before January 1, 1938, that due to the laws of the foreign country in which such corporation is incorporated, or for other reason, it is or will be impossible to complete the liquidation of such company before such date) the liquidation is completed on or before such date as the Commissioner may find reasonable, but not later than June 30, 1938."

Period of limitation upon assessment and collection.
49 Stat. 1726.

SEC. 206. PERIOD OF LIMITATION UPON ASSESSMENT AND COLLECTION.

(a) Section 275 of the Revenue Act of 1936 is amended by inserting after subsection (c) thereof a new subsection to read as follows:

Shareholders of foreign personal holding companies.

"(d) SHAREHOLDERS OF FOREIGN PERSONAL HOLDING COMPANIES.—If the taxpayer omits from gross income an amount properly includible therein under section 337 (b) (relating to the inclusion in the gross income of United States shareholders of their distributive shares of the undistributed Supplement P net income of a foreign personal holding company) the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within seven years after the return was filed."

Time prescribed for filing.
49 Stat. 1726.

(b) Subsection (d) of such section 275, before its amendment by subsection (a) of this section, is amended to read as follows:

"(e) For the purposes of subsections (a), (b), (c), and (d), a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day."

Subsection relettered.

(c) Subsection (e) of such section 275, before its amendment by subsections (a) and (b) of this section, is amended by striking out "(e)" and inserting in lieu thereof "(f)".

Minor amendments to Title I of 1936 Act.
49 Stat. 1653.

SEC. 207. MINOR AMENDMENTS TO TITLE I OF 1936 ACT.

(a) Section 4 of the Revenue Act of 1936 is amended by adding at the end thereof a new subsection to read as follows:

"(i) Foreign personal holding companies and their shareholders—Supplement P."

49 Stat. 1657.

(b) Section 22 of such Act is amended by adding at the end thereof a new subsection to read as follows:

Foreign personal holding companies.
Ante, p. 820.

"(g) FOREIGN PERSONAL HOLDING COMPANIES.—For provisions relating to gross income of foreign personal holding companies and of their shareholders, see section 334."

49 Stat. 1671.

(c) Section 54 of such Act is amended by adding at the end thereof a new subsection to read as follows:

Foreign personal holding companies.
Information returns.
Ante, pp. 823, 824.

"(e) FOREIGN PERSONAL HOLDING COMPANIES.—For information returns by officers, directors, and large shareholders, with respect to foreign personal holding companies, see sections 338, 339, and 341. For information returns by attorneys, accountants, and so forth, as to formation, and so forth, of foreign corporations, see sections 340 and 341."

49 Stat. 1706.

(d) Such Act is amended by adding after section 150 a new section to read as follows:

Foreign personal holding companies.
Information returns.

"SEC. 151. FOREIGN PERSONAL HOLDING COMPANIES.

"For information returns by officers, directors, and large shareholders, with respect to foreign personal holding companies, see sections 338, 339, and 341. For information returns by attorneys, accountants, and so forth, as to formation, and so forth, of foreign corporations, see sections 340 and 341."

Ante, pp. 823, 824.

Penalties.
49 Stat. 1703.

(e) Section 145 of such Act is amended by adding at the end thereof a new subsection to read as follows:

Information returns, failure to file.

"(d) For penalties for failure to file information returns with respect to foreign personal holding companies and foreign corporations, see section 341."

TITLE III—DISALLOWED DEDUCTIONS

Title III — Disallowed deductions.

SEC. 301. DISALLOWED DEDUCTIONS.

(a) Section 24 (a) of the Revenue Act of 1936 is amended to read as follows: 49 Stat. 1662

"(a) GENERAL RULE.—In computing net income no deduction shall in any case be allowed in respect of— General rule, items not deductible.

"(1) Personal, living, or family expenses;

"(2) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate;

"(3) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made;

"(4) Premiums paid on any life insurance policy covering the life of any officer or employee, or of any person financially interested in any trade or business carried on by the taxpayer, when the taxpayer is directly or indirectly a beneficiary under such policy; or

"(5) Any amount otherwise allowable as a deduction which is allocable to one or more classes of income other than interest (whether or not any amount of income of that class or classes is received or accrued) wholly exempt from the taxes imposed by this title.

"(b) LOSSES FROM SALES OR EXCHANGES OF PROPERTY.— Losses from sales or exchanges of property.

"(1) LOSSES DISALLOWED.—In computing net income no deduction shall in any case be allowed in respect of losses from sales or exchanges of property, directly or indirectly— Losses disallowed.

"(A) Between members of a family, as defined in paragraph (2) (D);

"(B) Except in the case of distributions in liquidation, between an individual and a corporation more than 50 per centum in value of the outstanding stock of which is owned, directly or indirectly, by or for such individual;

"(C) Except in the case of distributions in liquidation, between two corporations more than 50 per centum in value of the outstanding stock of each of which is owned by or for the same individual, if—

"(i) Either one of such corporations, with respect to the taxable year (if beginning after December 31, 1935) of the corporation preceding the date of the sale or exchange, was a personal holding company as defined in section 352, or

"(ii) Either one of such corporations, with respect to the taxable year (if not beginning more than 12 months before the date of the enactment of the Revenue Act of 1937) of the corporation preceding the date of the sale or exchange, was a foreign personal holding company as defined in section 331;

"(D) Between a grantor and a fiduciary of any trust;

"(E) Between the fiduciary of a trust and the fiduciary of another trust, if the same person is a grantor with respect to each trust; or

"(F) Between a fiduciary of a trust and a beneficiary of such trust.

Stock ownership, family, and partnership rule.

"(2) STOCK OWNERSHIP, FAMILY, AND PARTNERSHIP RULE.—For the purposes of determining, in applying paragraph (1), the ownership of stock—

"(A) Stock owned, directly or indirectly, by or for a corporation, partnership, estate, or trust, shall be considered as being owned proportionately by or for its shareholders, partners, or beneficiaries;

"(B) An individual shall be considered as owning the stock owned, directly or indirectly, by or for his family;

"(C) An individual owning (otherwise than by the application of subparagraph (B)) any stock in a corporation shall be considered as owning the stock owned, directly or indirectly, by or for his partner;

"(D) The family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants; and

"(E) Constructive Ownership as Actual Ownership.—Stock constructively owned by a person by reason of the application of subparagraph (A) shall, for the purpose of applying subparagraph (A), (B), or (C), be treated as actually owned by such person, but stock constructively owned by an individual by reason of the application of subparagraph (B) or (C) shall not be treated as owned by him for the purpose of again applying either of such subparagraphs in order to make another the constructive owner of such stock.

Special rule for year 1936.
Foreign personal holding company.

"(3) SPECIAL RULE FOR YEAR 1936.—In applying paragraph (1) (C) (i) in a case where the preceding taxable year therein referred to began in the calendar year 1936, the determination as to whether the corporation was a foreign personal holding company shall be made under section 351 (b) (1) before the amendment of Title IA made by section 1 of the Revenue Act of 1937.

49 Stat. 1732

Unpaid expenses and interest.

"(c) UNPAID EXPENSES AND INTEREST.—In computing net income no deduction shall be allowed in respect of expenses incurred under section 23 (a) or interest accrued under section 23 (b)—

49 Stat. 1658, 1659.

"(1) If not paid within the taxable year or within two and one half months after the close thereof; and

"(2) If, by reason of the method of accounting of the person to whom the payment is to be made, the amount thereof is not, unless paid, includible in the gross income of such person for the taxable year in which or with which the taxable year of the taxpayer ends; and

"(3) If, at the close of the taxable year of the taxpayer or at any time within two and one half months thereafter, both the taxpayer and the person to whom the payment is to be made are persons between whom losses would be disallowed under section 24 (b)."

49 Stat. 1662.

(b) Section 24 (b) and section 24 (c) of the Revenue Act of 1936, as in force prior to the amendment to section 24 made by subsection (a) of this section, are amended by striking out "(b)" and "(c)" and inserting in lieu thereof "(d)" and "(e)".

Ante, p. 827.

SEC. 302. EFFECTIVE DATES.

Effective dates.

The amendments made by this title shall apply only with respect to taxable years beginning after December 31, 1936.

TITLE IV—TRUSTS

Title IV—Trusts.

SEC. 401. DENIAL OF PERSONAL EXEMPTION TO TRUSTS.

Denial of personal exemption to trusts. 49 Stat. 1707.

Section 163 (a) of the Revenue Act of 1936 is amended to read as follows:

"(a) CREDITS OF ESTATE OR TRUST.—

Credits of estate or trust.

"(1) For the purpose of the normal tax and the surtax an estate or trust shall be allowed the same personal exemption as is allowed to a single person under section 25 (b) (1), except that no exemption shall be allowed a trust if the trust instrument requires or permits the accumulation of any portion of the income of the trust and there is not distributed an amount equal to the net income. For the purposes of this paragraph the term "net income" does not include amounts included in gross income which, under the law of the jurisdiction under which the trust is administered, cannot (even if permitted or required by the trust instrument to be considered as income) be considered as income and are not distributable.

"(2) If no part of the income of the estate or trust is included in computing the net income of any legatee, heir, or beneficiary, then the estate or trust shall be allowed the same credits against net income for interest as are allowed by section 25 (a)."

SEC. 402. FIDUCIARY RETURNS.

Fiduciary returns. 49 Stat. 1700

Section 142 (a) of the Revenue Act of 1936 is amended to read as follows:

"(a) REQUIREMENT OF RETURN.—Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this title and such other information for the purpose of carrying out the provisions of this title as the Commissioner with the approval of the Secretary may by regulations prescribe—

Requirement of return. Sworn statement of income, etc., of beneficiaries.

Deductions, etc., allowed.

"(1) Every individual having a net income for the taxable year of $1,000 or over, if single, or if married and not living with husband or wife;

Net income of $1,000 or over, if single, etc.

"(2) Every individual having a net income for the taxable year of $2,500 or over, if married and living with husband or wife;

Net income of $2,500 or over, if married, etc.

"(3) Every individual having a gross income for the taxable year of $5,000 or over, regardless of the amount of his net income;

Gross income of $5,000 or over.

"(4) (A) Every estate, and every trust entitled to the personal exemption allowed by section 163 (a) (1), the net income of which for the taxable year is $1,000 or over.

Estates, or trusts where net income $1,000 or over. 49 Stat. 1707.

"(B) Every trust, not entitled to a personal exemption under section 163 (a) (1), which has a net income for the taxable year.

Trusts not entitled to personal exemption having net income.

"(5) Every estate or trust the gross income of which for the taxable year is $5,000 or over, regardless of the amount of the net income;

Gross income of $5,000 or more.

"(6) Every estate or trust of which any beneficiary is a nonresident alien; and

Nonresident alien beneficiary.

"(7) Regardless of the amount of the gross or net income, every trust, though having no net income, which would have a net income if distributions had not been made which under the terms of the trust instrument were in the discretion of the

Distributions discretionary or based on a contingency.

Exemption.

trustee or conditioned upon a contingency; but subject to such conditions, limitations, and exceptions and under such regulations as may be prescribed by the Commissioner, with the approval of the Secretary, a fiduciary required by this paragraph to file a return may be exempted from the requirement of filing such return."

Effective dates.

SEC. 403. EFFECTIVE DATES.

The amendments made by this title shall apply only with respect to taxable years beginning after December 31, 1936.

Title V—Nonresident alien individuals.

TITLE V—NONRESIDENT ALIEN INDIVIDUALS

Tax on.

SEC. 501. TAX ON NONRESIDENT ALIEN INDIVIDUALS.

49 Stat. 1714. Exemption.

(a) Section 211 (a) of the Revenue Act of 1936 is amended by adding at the end thereof a new sentence to read as follows: "The tax imposed by this subsection shall not apply to any individual if the aggregate amount received during the taxable year from the sources above specified is more than $21,600."

49 Stat. 1715

(b) Section 211 of the Revenue Act of 1936 is further amended by adding at the end thereof a new subsection to read as follows:

No United States business or office and gross income of more than $21,600.

"(c) NO UNITED STATES BUSINESS OR OFFICE AND GROSS INCOME OF MORE THAN $21,600.—A nonresident alien individual not engaged in trade or business within the United States and not having an office or place of business therein who has a gross income for any taxable year of more than $21,600 from the sources specified in subsection (a), shall be taxable without regard to the provisions of subsection (a), except that—

"(1) The gross income shall include only income from the sources specified in subsection (a); and

"(2) The deductions (other than the so-called 'charitable deduction' provided in section 213 (c)) shall be allowed only if and to the extent that they are properly allocable to the gross income from the sources specified in subsection (a); and

49 Stat. 1715.

"(3) The aggregate of the normal and surtax under sections 11 and 12 shall, in no case, be less than 10 per centum of the gross income from the sources specified in subsection (a)."

(c) The amendments made by subsections (a) and (b)—

Amendments, when effective.

(1) Shall apply only to taxable years beginning after December 31, 1936; and

Residents of contiguous countries.

(2) Shall not apply to a resident of a contiguous country so long as there is in effect a treaty with such country (ratified prior to the date of the enactment of this Act) under which rates of tax under section 211 (a), prior to its amendment by subsection (a), were reduced.

49 Stat. 1714.

Title VI—Miscellaneous.

TITLE VI—MISCELLANEOUS

Corporations excepted from certain surtax. Provisions modified.

SEC. 601. CORPORATIONS EXCEPTED FROM SECTION 102.

49 Stat. 1676.

(a) Section 102 (a) of the Revenue Act of 1936 is amended by striking out "(other than a personal holding company as defined in section 351)" and inserting in lieu thereof "(except as provided in subsection (f))".

(b) Such section 102 is further amended by adding at the end thereof a new subsection to read as follows:

Corporations excepted.

"(f) CORPORATIONS EXCEPTED.—This section shall not apply to any corporation—

Personal holding company.

"(1) With respect to a taxable year beginning after December 31, 1936, if the corporation is with respect to such year a personal holding company as defined in section 352.

Ante, p. 814.

"(2) With respect to a taxable year beginning before January 1, 1937, if the corporation is with respect to such year a personal holding company as defined in section 351 (b) (1) before the amendment of Title IA by section 1 of the Revenue Act of 1937.

"(3) With respect to a taxable year ending after the date of the enactment of the Revenue Act of 1937, if the corporation is with respect to such year a foreign personal holding company as defined in section 331." Foreign personal holding company.

SEC. 602. MUTUAL INVESTMENT COMPANIES. Mutual investment companies. 49 Stat. 1669. General definition.

(a) Section 48 (e) (1) of the Revenue Act of 1936 is amended by striking out "other than a personal holding company as defined in section 351" and inserting in lieu thereof "except as provided in paragraph (3)".

(b) Such section 48 (e) is further amended by adding at the end of such subsection a new paragraph to read as follows:

"(3) CORPORATIONS EXCEPTED.—This section shall not apply to any corporation— Corporations excepted.

"(A) With respect to a taxable year beginning after December 31, 1936, if the corporation is with respect to such year a personal holding company as defined in section 352. *Ante*, p. 814.

"(B) With respect to a taxable year beginning before January 1, 1937, if the corporation is with respect to such year a personal holding company as defined in section 351 (b) (1) before the amendment of Title IA by section 1 of the Revenue Act of 1937.

"(C) With respect to a taxable year ending after the date of the enactment of the Revenue Act of 1937, if the corporation is with respect to such year a foreign personal holding company as defined in section 331."

SEC. 603. SEPARABILITY CLAUSE. Separability clause.

If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Approved, August 26, 1937, 10 a. m.

[CHAPTER 816]

JOINT RESOLUTION

August 26, 1937
[S. J. Res. 166]
[Pub. Res., No. 72]

Providing for participation by the United States in the Pan American Exposition to be held in Tampa, Florida, in the year 1939 in commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries to an exposition to be held in Tampa, Florida, to be known as the "Pan American Exposition", in commemoration of the four-hundredth anniversary of the landing of Hernando De Soto in Tampa Bay, under the auspices and on the grounds of the Florida Fair and Gasparilla Association, Incorporated, in the year 1939, with a request that they participate therein. Pan American Exposition, Tampa, Fla., 1939. President requested to invite foreign countries to participate.

SEC. 2. That there is hereby created a Federal commissioner for such Pan American Exposition, said commissioner to be appointed by the President upon the nomination of the Secretary of Commerce, who shall select for this purpose an official of his Department who has had experience in and is familiar with the preparation and man- Federal commissioner. Appointment, qualifications, expenses, etc.

agement of exhibitions, and who will serve in this capacity without additional salary. That the expenses of the Federal commissioner and such staff as he may require will be met out of the funds provided for the purposes of the Government participation in the exposition.

Duties; exhibits by Government.

SEC. 3. The Secretary of Commerce shall prescribe the duties of the Federal commissioner and shall delegate such powers and functions to him as he shall deem advisable, in order that there may be exhibited at the said Pan American Exposition by the Government of the United States, its executive department [1], independent offices, and establishments such articles and materials as illustrate the function and administrative faculty of the Government in the advancement of industry, the arts, and peace, demonstrating the nature of our institutions particularly as regards their adaptation to the wants of the people.

Employees, etc.

SEC. 4. The commissioner may employ such clerks, stenographers, and other assistants as may be necessary, and fix their reasonable compensation within the grades and rates of compensation fixed by the Classification Act of 1923, as amended; purchase such material, contract for such labor and other services, and exercise such powers as are delegated to him by the Secretary of Commerce as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated) to officers and employees as may be deemed advisable by the Secretary of Commerce.

5 U. S. C. §§ 661–674.

Cooperation by departments, etc.

SEC. 5. The heads of the various executive departments, independent offices, and establishments of the Government are authorized to cooperate with the commissioner in the procurement, installation, and display of exhibits; to lend to the Pan American Exposition, with the knowledge and consent of the commissioner, such articles, specimens, and exhibits which the commissioner shall deem to be in the interest of the United States to place with the science or other exhibits to be shown under the auspices of the Florida Fair and Gasparilla Association, Incorporated; to contract for such labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or branches to assist the commissioner. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, the commissioner shall cause all such property to be returned to the respective departments and branches from which taken and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions and fairs, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation provided; and if the return of such property is not practicable, he may, with the consent of the department or branch from which it was taken, make such disposition thereof as he may deem advisable and account therefor.

Return of exhibits, etc., at close.

Appropriation authorized.

SEC. 6. The sum of $100,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended, parts of which sum may be expended for the erection of a building or buildings and/or for the rental of such space, as the Secretary of Commerce may deem adequate to carry out effectively the provisions of this resolution; for the decoration of such structure or structures; for the proper maintenance of such buildings, site, and grounds during the period

[1] So in original.

of the exposition. The Secretary of Commerce may contract with the Florida Fair and Gasparilla Association, Incorporated, for the designing and erection of such building or buildings and/or for the rental of such space as shall be deemed proper. The remaining portion of the appropriation authorized under this resolution shall be available for the selection, purchase, preparation, assembling, transportation, installation, arrangement, safekeeping, exhibition, demonstration, and return of such articles and materials as the Secretary of Commerce may decide shall be included in such Government exhibit and in the exhibits of the Pan American Exposition; for the compensation of the employees of the Secretary of Commerce in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government, employed by or detailed for duty with the Secretary of Commerce, and for their actual traveling expenses and subsistence at not to exceed $6 per day: *Provided*, That no such official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department or branch where employed plus such reasonable allowance for subsistence expenses as may be deemed proper by the commissioner; for telephone service, purchase of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers and all other publications, ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes may be made in advance; for the hire of a passenger-carrying automobile, its maintenance, repair, and operation, for the official use of the commissioner; for printing and binding; for entertainment of distinguished visitors, and all other expenses as may be deemed necessary by the Secretary of Commerce, to fulfill properly the purposes of this resolution. All purchases, expenditures, and disbursements, under any appropriations which may be provided by authority of this resolution, shall be made under the direction of the Secretary of Commerce: *Provided further*, That the Secretary of Commerce, as hereinbefore stipulated, may delegate these powers and functions to the commissioner, and the commissioner, with the consent of the Secretary of Commerce, may subdelegate them: *Provided further*, That the Secretary of Commerce or his delegated representative may authorize the allotment of funds to any executive department, independent office, or establishment of the Government with the consent of the heads thereof for direct expenditure by said executive department, independent office, or establishment for the purpose of defraying any expenditure which may be incurred by said executive department, independent office, or establishment in executing the duties and functions delegated to said office by the Secretary of Commerce; and all accounts and vouchers covering the expenditures under these appropriations shall be approved by the commissioner or such assistants as he may delegate, except for such allotments as may be made to the various executive departments and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit or permit any obligations to be incurred in excess of the amount authorized to be appropriated: *And provided further*, That in the construction of buildings or exhibits requiring skilled and unskilled labor, the prevailing rate of wages, then existing, shall be paid.

Contracts for designing and erection of buildings

Salaries, etc.

Provisos. Limitation.

Payments in advance.

Delegation and subdelegation of powers.

Allotment of funds.

Supervision of expenditures.

Labor wage rates.

Acceptance of contributions, etc.

SEC. 7. The commissioner with the approval of the Secretary of Commerce may receive contributions in funds or materials or borrow materials or exhibits to aid in carrying out the general purposes of this resolution, and shall have the right to return borrowed property, and dispose of such other property under the direction of the Secretary of Commerce and to account therefor, the proceeds of such sales shall be covered into the Treasury of the United States.

Reports

SEC. 8. It shall be the duty of the Secretary of Commerce to transmit to Congress, within six months after the close of the Pan American Exposition, a detailed statement of all expenditures, and such other reports as may be deemed proper which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Approved, August 26, 1937.

[CHAPTER 817]

JOINT RESOLUTION

August 26, 1937
[S. J. Res. 186]
[Pub. Res., No. 73]

Providing for the participation of the United States in the continuing international exposition to be known as Pacific Mercado, to be held in the city of Los Angeles, California, commencing in the year 1940, and in the year 1942 commemorating the landing of Cabrillo, and for other reasons.

Pacific Mercado (International Exposition), Los Angeles, Calif., 1940.
Preamble.

Whereas there is to be held in the city of Los Angeles, State of California, commencing in the year 1940, a continuing international exposition to be known as the Pacific Mercado, designed to promote closer relations and better understandings among the countries and nations of the world, through the furtherance of trade, industry, and cultural arts, by gathering, arranging, and exhibiting the varied cultures of such countries and nations and the origins, progress, and accomplishments in science, the arts, education, industry, business, and transportation of such countries and nations, and by other appropriate means; and

Whereas there is to be held in said city, in the year 1942, in connection with said Pacific Mercado, a world's fair commemorating the landing of Cabrillo; and

Whereas the holding of said Pacific Mercado and, in conjunction therewith, said world's fair, will further the purposes of certain conventions and treaties signed at the Inter-American Conference for the Maintenance of Peace, held in the city of Buenos Aires, capital of the Argentine Republic, in December 1936; and

Whereas the city of Los Angeles, by amendment to its charter, approved by the electors of said city and by the Legislature of the State of California, has been authorized to issue, through its department of water and power, bonds for the acquisition of a site for such continuing international exposition and world's fair; and

Whereas the State of California on May 21, 1937, enacted Assembly Joint Resolution Numbered 47, chapter 106, memorializing the President of the United States to extend to the governments and dominions of the world invitations to participate in the Pacific Mercado in 1940 (reference Congressional Record, May 26, 1937, pages 6572 and 6573); and

Whereas the State of California on May 25, 1937, appropriated $1,500,000 for the State's participation in the Pacific Mercado and exposition; and

Whereas such continuing international exposition and world's fair are worthy and deserving of the support and encouragement of the United States, and the United States has aided and encouraged such world's fair and celebrations in the past: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States hereby extends its official recognition to the Pacific Mercado (International Exposition) and authorizes the executive departments, independent establishments, and agencies of the Government to participate therein. Any expense incurred by such participation is to be met from any funds which may legally be used for that purpose and which may be available to such executive departments, independent establishments, or agencies.

Official recognition extended.

Government agencies authorized to participate.

Payment of incurred expenses.

SEC. 2. That the President of the United States be, and he is hereby, authorized and respectfully requested by proclamation, or in such manner as he may deem proper, to invite foreign countries to such proposed Pacific Mercado (International Exposition) and to such proposed world's fair to be held in connection therewith, with a request that they participate therein.

President requested to invite foreign countries to participate.

Approved, August 26, 1937.

[CHAPTER 818]

AN ACT

August 26, 1937
[S. 29]
[Public, No. 378]

To require certain common carriers by railroad to install and maintain certain appliances, methods, and systems intended to promote the safety of employees and travelers on railroads, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 26 of the Interstate Commerce Act, as amended (U. S. C., 1934 ed., title 49, sec. 26), is hereby amended to read as follows:

Interstate Commerce Act, amendments.
41 Stat. 498.
49 U. S. C. § 26.

"SEC. 26. (a) The term 'carrier' as used in this section includes any carrier by railroad subject to this part (including any terminal or station company), and any receiver or any other individual or body, judicial or otherwise, when in the possession of the business of a carrier subject to this section: *Provided, however*, That the term 'carrier' shall not include any street, interurban, or suburban electric railway unless such railway is operated as a part of a general steam-railroad system of transportation, but shall not exclude any part of a general steam-railroad system of transportation now or hereafter operated by any other motive power.

"Carrier" construed.

Proviso.
Street, interurban, or suburban electric railways.

"(b) That the Commission may, after investigation, if found necessary in the public interest, order any carrier within a time specified in the order, to install the block signal system, interlocking, automatic train stop, train control, and/or cab-signal devices, and/or other similar appliances, methods, and systems intended to promote the safety of railroad operation, which comply with specifications and requirements prescribed by the Commission, upon the whole or any part of its railroad such order to be issued and published a reasonable time (as determined by the Commission) in advance of the date for its fulfillment: *Provided*, That block signal systems, interlocking, automatic train stop, train control, and cab-signal devices in use on the date of the enactment of this amendatory provision or such systems or devices hereinafter installed may not be discontinued or materially modified by carriers without the approval of the Commission: *Provided further*, That a carrier shall not be held to be negligent because of its failure to install such systems, devices, appliances, or methods upon a portion of its railroad not included in the order, and any action arising because of an accident occurring upon such portion of its railroad shall be determined without consideration of the use of such systems, devices, appliances, or methods upon another portion of its railroad.

Safety devices.
Installation of certain, upon order of Commission.

Provisos.
Existing systems, etc.

Limit of carrier's liability.

Safety rules, standards, etc., to be filed with Commission.

"(c) Each carrier by railroad shall file with the Commission its rules, standards, and instructions for the installation, inspection, maintenance, and repair of the systems, devices, and appliances covered by this section within six months after the enactment of this amendatory provision, and, after approval by the Commission, such rules, standards, and instructions, with such modifications as the Commission may require, shall become obligatory upon the carrier: *Provided, however*, That if any such carrier shall fail to file its rules, standards, and instructions the Commission shall prepare rules, standards, and instructions for the installation, inspection, maintenance, and repair of such systems, devices, and appliances to be observed by such carrier, which rules, standards, and instructions, a copy thereof having been served on the president, chief operating officer, trustee, or receiver, of such carrier, shall be obligatory: *Provided further*, That such carrier may from time to time change the rules, standards, and instructions herein provided for, but such change shall not take effect and the new rules, standards, and instructions be enforced until they shall have been filed with and approved by the Commission: *And provided further*, That the Commission may on its own motion, upon good cause shown, revise, amend, or modify the rules, standards, and instructions prescribed by it under this subsection, and as revised, amended, or modified they shall be obligatory upon the carrier after a copy thereof shall have been served as above provided.

Approval, binding effect upon carrier.

Provisos
Preparation of rules, etc., by Commission.

Changes, by carrier.

By Commission.

Inspections, etc.

"(d) The Commission is authorized to inspect and test any systems, devices, and appliances referred to in this section used by any such carrier and to determine whether such systems, devices, and appliances are in proper condition to operate and provide adequate safety. For these purposes the Commission is authorized to employ persons familiar with the subject. Such persons shall be in the classified service and shall be appointed after competitive examination according to the law and the rules of the Civil Service Commission governing the classified service. No person interested, either directly or indirectly, in any patented article required to be used on or in connection with any of such systems, devices, and appliances or who has any financial interest in any carrier or in any concern dealing in railway supplies shall be used for such purpose.

Inspectors.

Persons disqualified.

Defective appliances, etc.

"(e) It shall be unlawful for any carrier to use or permit to be used on its line any system, device, or appliance covered by this section unless such apparatus, with its controlling and operating appurtenances, is in proper condition and safe to operate in the service to which it is put, so that the same may be used without unnecessary peril to life and limb, and unless such apparatus, with its controlling and operating appurtenances, has been inspected from time to time in accordance with the provisions of this section and is able to meet the requirements of such test or tests as may be prescribed in the rules and regulations hereinbefore provided.

Reports of failures of systems.

Report of accidents.

"(f) Each carrier shall report to the Commission in such manner and to such extent as may be required by the Commission, failures of such systems, devices, or appliances to indicate or function as intended; and in case of accident resulting from failure of any such system, device, or appliance to indicate or function as intended, and resulting in injury to person or property which is reportable under the rules of the Commission, a statement forthwith must be made in writing of the fact of such accident by the carrier owning or maintaining such system, device, or appliance to the Commission; whereupon the facts concerning such accident shall be subject to investigation as provided in sections 3, 4, and 5 of the Act entitled

'An Act requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission, and authorizing investigations thereof by said Commission', approved May 6, 1910 (U. S. C., 1934 ed., title 45, secs. 40, 41, and 42).

36 Stat. 351. 45 U. S. C. §§ 40, 41, 42.

"(g) It shall be the duty of the Commission to see that the requirements of this section and the orders, rules, regulations, standards, and instructions made, prescribed, or approved hereunder are observed by carriers, and all powers heretofore granted to the Commission are hereby extended to it in the execution of this section.

Enforcement by Commission.

"(h) Any carrier which violates any provision of this section, or which fails to comply with any of the orders, rules, regulations, standards, or instructions made, prescribed, or approved hereunder shall be liable to a penalty of $100 for each such violation and $100 for each and every day such violation, refusal, or neglect continues, to be recovered in a suit or suits to be brought by the United States attorney in the district court of the United States having jurisdiction in the locality where such violations shall have been committed. It shall be the duty of such attorneys to bring such suits upon duly verified information being lodged with them showing such violations having occurred; and it shall be the duty of the Commission to lodge with the proper United States attorneys information of any violations of this section coming to its knowledge."

Penalty for violation.

Approved, August 26, 1937.

[CHAPTER 819]

AN ACT

To provide suitable accommodations for the district court of the United States at Glasgow, Montana.

August 26, 1937
[S. 537]
[Public, No. 379]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to provide suitable rooms and accommodations for holding terms of the district court of the United States in the Federal building proposed to be constructed in Glasgow, Montana. The limit of cost for such building is hereby increased by such amount not in excess of $100,000 as may be necessary for that purpose; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary not in excess of $100,000 in addition to the sums heretofore appropriated and allocated, for the construction of such building.

Glasgow, Mont. Accommodations for district court in proposed Federal building.

Limit of cost of construction increased.

Sums authorized.

SEC. 2. So much of section 92 of the judicial code, as amended, as reads "*Provided*, That suitable rooms and accommodations for holding court at Glasgow, Lewiston, and Havre are furnished free of all expense to the United States" is amended to read as follows: "*Provided*, That suitable rooms and accommodations for holding court at Lewiston and Havre are furnished free of all expense to the United States".

Section amended. 44 Stat. 825. 28 U. S. C. § 172. *Ante*, p. 474.

Accommodations at Lewiston and Havre.

Approved, August 26, 1937.

[CHAPTER 820]

AN ACT

August 26, 1937
[S. 2146]
[Public, No. 380]

To amend the Act entitled "An Act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, New Jersey", approved July 23, 1935.

Perth Amboy, N. J. Jurisdiction of Court of Claims extended to cover moneys expended by city in 1918-1920.
49 Stat. 491.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, New Jersey", approved July 23, 1935, be amended to read as follows: "That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of the city of Perth Amboy, New Jersey, against the United States upon its merits and according to the equities of the case with a view of reimbursing the claimant for money expended in 1918, 1919, and 1920 by the city of Perth Amboy, New Jersey, growing out of an agreement, formal or informal, with the United States to extend the city's water system for the purpose of supplying water to the Raritan Arsenal and Colonia Base Hospital, Numbered 2, less the present estimated value of the equipment installed under such agreement.

Institution of suit.

"SEC. 2. That the suit heretofore instituted under the Act of which this is amendatory, by the city of Perth Amboy, New Jersey, against the United States in the Court of Claims, numbered 43325, shall proceed under this Act, notwithstanding any lapse of time, laches, or any statute of limitations or any defense, except that said city shall be required to give sufficient assurance to the United States satisfactory to the Secretary of War that it will preserve the facilities for furnishing water on account of which this claim is made and will not destroy or render them unfit or ineffective for use except with the consent of the Secretary of War. Official letters, papers, documents, and public records or certified copies thereof from the files and records of the United States relating to the subject matter in controversy in said suit may be used in evidence by either party. Proceedings for the determination of such claim, and appeals from and payment of any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended."

Water facilities.

Evidence allowed.

Procedure, appeal, etc.

28 U. S. C. § 250.

Approved, August 26, 1937.

[CHAPTER 821]

AN ACT

August 26, 1937
[S. 2229]
[Public, No. 381]

To permit Members of Congress to enter into agreements under agricultural programs.

Agreements under agricultural programs. Participation in, by Members of Congress.
48 Stat. 337, 1264.
18 U. S. C. § 206; 41 U. S. C. § 22.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act relating to contracts and agreements under the Agricultural Adjustment Act", approved January 25, 1934, as amended, is amended by inserting before the period at the end thereof a comma and the following: "and shall not apply to contracts or agreements of a kind which the Secretary of Agriculture may enter into with farmers: *Provided*, That such exemption shall be made a matter of public record".

Proviso. Exemption a matter of public record.

Approved, August 26, 1937.

[CHAPTER 822]

AN ACT

August 26, 1937
[S. 2455]
[Public, No. 382]

To amend the Merchant Marine Act, 1936 (Act of June 29, 1936, ch. 858; 49 Stat. 1985).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202 of the Merchant Marine Act, 1936 (Act of June 29, 1936, ch. 858, 49 Stat. 1985, 1986), is hereby amended by adding a sentence at the end thereof to read as follows: "Notwithstanding any other provision of law, the Commission may, in accordance with good business methods and on such terms and conditions as it determines to effectuate the policy of this Act, operate or lease any lands, docks, wharves, piers, or real property under its control, and all money heretofore or hereafter received from such operation or lease shall be available for expenditure by the Commission as provided in this Act."

Merchant Marine Act, 1936, amendments.
49 Stat. 1986.
46 U. S. C., Supp. II, § 1112.
Operation or leasing of property under control of Commission.
Funds available

SEC. 2. That section 206 of the Merchant Marine Act, 1936 (Act of June 29, 1936, ch. 858, 49 Stat. 1985, 1987), is hereby amended to read as follows:

49 Stat. 1987.

"SEC. 206. All sums of money now in the construction loan fund created by section 11 of the Merchant Marine Act, 1920, as amended, together with the proceeds of all debts, accounts, choses in action, and the proceeds of all notes, mortgages, and other evidences of indebtedness, hereby transferred to the Commission, and all of the proceeds of sales of ships and surplus property heretofore or hereafter made, including proceeds of notes or other evidences of debt taken therefor and the interest thereon, and, notwithstanding any other provision of law, all money representing amounts of unclaimed wages, salvage awards and miscellaneous unclaimed items carried as liabilities on the books of the United States Shipping Board Merchant Fleet Corporation and all money heretofore or hereafter received from the operation or leasing of lands, docks, wharves, piers, or real property shall be deposited in the Treasury of the United States and there maintained as a revolving fund, herein designated as the construction fund, and shall be available for expenditure by the Commission in carrying out the provisions of this Act. All moneys received by the Commission under the provisions of this Act shall be deposited in its construction fund, and all disbursements made by the Commission under authority of this Act shall be paid out of said fund, and, notwithstanding any other provision of law, all disbursements applicable to the money referred to in this section may be made by the Commission out of said fund. Further appropriations by Congress to replenish said fund are hereby authorized."

Sums transferred to Commission.
41 Stat. 993.
46 U. S. C. § 870.
Proceeds of property sales.
Unclaimed wages, salvage awards, etc.
Deposits.
Disbursements.
Replenishment authorized.

SEC. 3. That section 209 (b) of the Merchant Marine Act, 1936 (Act of June 29, 1936, ch. 858, 49 Stat. 1985, 1988), is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and, notwithstanding any other provision of law, without deduction, allocation, or segregation in any manner for amounts of unclaimed wages, salvage awards, and miscellaneous unclaimed items carried as liabilities on the books of the United States Shipping Board Merchant Fleet Corporation."

49 Stat. 1988.
Use of Shipping Board Merchant Fleet Corporation funds.

SEC. 4. The sections of this Act shall be deemed operative as of the effective date of the sections of the Merchant Marine Act, 1936, amended thereby.

Effective date.

Approved, August 26, 1937.

[CHAPTER 823]

AN ACT

August 26, 1937
[S. 2578]
[Public, No. 383]

To authorize the Secretary of Commerce to continue the existing system of classification and pay of positions of lighthouse keepers.

Department of Commerce.
Lighthouse keepers, continuation of existing classification and pay system.
46 Stat. 1005.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of section 2 of the Act approved July 3, 1930 (46 Stat. 1003), the Secretary of Commerce is authorized, in his discretion, to continue the existing system governing the classification and pay of the positions of lighthouse keepers, pending the enactment by the Congress of legislation establishing and prescribing a system of classification and pay applicable to these positions.

Approved, August 26, 1937.

[CHAPTER 824]

AN ACT

August 26, 1937
[H. R. 195]
[Public, No. 384]

To convey certain lands to Clackamas County, Oregon, for public-park purposes.

Clackamas County, Oreg.
Conveyance of certain lands to, for public-park purposes.
Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue a patent to Clackamas County, Oregon, on behalf of the United States, for the southeast quarter southwest quarter, the northeast quarter southwest quarter, and the northwest quarter southeast quarter section 11, township 4 south, range 2 east, Willamette meridian, in the State of Oregon, containing one hundred and twenty acres, more or less, on condition that such county shall accept and use such lands solely for public-park purposes; but if such county shall at any time cease to use such lands for public-park purposes, or shall permit the use of such lands for any other purpose, or shall alienate or attempt to alienate them, they shall revert to the United States: *Provided*, That there shall be reserved to the United States, its patentees, or their transferees, the right to cut and remove therefrom the merchantable timber reserving to Clackamas County, Oregon, when such sale is made under the provisions of the Act of June 9, 1916 (39 Stat. 218), a preference right to purchase the timber at the highest price bid.

Reversionary provision.

Proviso.
Timber rights reserved; right of county to purchase.

Regulations to be prescribed.

SEC. 2. The Secretary of the Interior shall prescribe all necessary regulations to carry into effect the foregoing provisions of this Act.

Approved, August 26, 1937.

[CHAPTER 825]

AN ACT

August 26, 1937
[H. R. 1609]
[Public, No. 385]

To credit laborers in the Postal Service with any fractional part of a year's substitute service toward promotion.

Postal Service.
49 Stat. 904.
39 U. S. C., Supp. II, § 101.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Act Numbered 366, entitled "An Act to provide time credits for substitute laborers in the post office when appointed as regular laborers", approved August 27, 1935 (U. S. C., 1934 edition, Supp. I, title 39, sec. 101), is amended to read as follows:

43 Stat. 1060.
39 U. S. C. § 101.

"That section 5 of the Act entitled 'An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other pur-

poses', approved February 28, 1925 (43 Stat. 1060; U. S. C., title 39, sec. 101), is amended by adding thereto a new paragraph to read as follows:

Time credits for substitute laborers, etc., when appointed to permanent positions.

"'Whenever any substitute laborer, watchman, or messenger is appointed to a permanent position as laborer, watchman, or messenger, the substitute service performed by such laborer, watchman, or messenger shall be computed in determining the eligibility of such person for promotion to grade 2 on the basis of three hundred and six days of eight hours constituting a year's service. Effective at the beginning of the first quarter following approval of this Act, all laborers, watchmen, and messengers who have not progressed to grade 2 shall be promoted to that grade, provided they have the necessary credit of three hundred and six days of eight hours each constituting a year's service.

Promotions.

Credit for fractional part of year's substitute service.

"'Any fractional part of a year's substitute service will be included with service as a regular laborer, watchman, or messenger in the Postal Service in determining eligibility for promotion to the next higher grade following appointment to a regular position. Effective at once following approval of this Act, all laborers, watchmen, and messengers who have not progressed to grade 2 shall be promoted to that grade, provided they have the necessary credit of three hundred and six days of eight hours each constituting a year's service.'"

Promotions.

Approved, August 26, 1937.

[CHAPTER 826]

AN ACT

August 26, 1937
[H. R. 1972]
[Public, No. 386]

Giving superintendents at classified post-office stations credit for substitutes serving under them.

Postal Service.
Superintendents at classified stations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth paragraph of section 3 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustments, and for other purposes", approved February 28, 1925, as amended (U. S. C., title 39, sec. 93), is amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: *Provided*, That in determining the number of employees at a classified station credit shall be allowed for service performed by regular employees, substitute employees other than those serving in lieu of regular employees absent from duty for any cause and temporary employees assigned to the station, and for each two thousand four hundred and forty-eight hours of service performed by such employees the station superintendent shall be allowed credit for one employee.

43 Stat. 1057.
39 U. S. C. § 93.

Credit for substitutes serving under, added in computing salaries

Approved, August 26, 1937.

[CHAPTER 827]

AN ACT

August 26, 1937
[H. R. 2512]
[Public, No. 387]

To authorize an appropriation for the construction of small reservoirs under the Federal reclamation laws.

Reclamation fund.
32 Stat. 388.
43 U. S. C. § 391.
Appropriation authorized for construction of small storage reservoirs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from the special fund in the Treasury of the United States created by the Act of June 17, 1902, and therein designated "The Reclamation Fund", there is hereby authorized to be appropriated the sum of $500,000 for expenditure by the Secretary of the Interior, under the

Cost limitation.

Federal reclamation laws, in the construction of small storage reservoirs at such locations within the States subject to the Federal reclamations laws, as the said Secretary may select, no reservoir to be constructed hereunder the estimated cost of which exceeds $50,000.

Approved, August 26, 1937.

[CHAPTER 828]

AN ACT

August 26, 1937
[H. R. 4277]
[Public, No. 388]

To provide for the extension of certain prospecting permits, and for other purposes.

General Leasing Act, amendments.
Prospecting permits, extension of certain, under prescribed conditions.
41 Stat. 437; 49 Stat. 674.
30 U. S. C. §§ 181-287; Supp. II, § 221.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That oil and gas prospecting permits issued under authority of an Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale [1] gas, and sodium on the public domain", approved February 25, 1920, as amended, outstanding on December 31, 1937, (a) which have been committed in whole or in part to a cooperative or unit plan of development and operation that on December 31, 1937, has been approved or prescribed by the Secretary of the Interior, or is in process of revision or reconsideration pursuant to prior review, without rejection, in the Department of the Interior; or (b) which, together with one or more other permits, have been committed in whole or in part to a cooperative or unit plan of development and operation for the whole of any single oil or gas pool or field (or reasonably compact area) that was filed before January 1, 1937, and rejected pursuant to instructions of said Secretary; or (c) under which approved drilling was actively in progress at some time within the calendar year 1937; or (d) under which at least one well shall have been drilled to a depth of not less than two thousand feet subsequent to August 21, 1935; or (e) which have been issued subsequent to August 21, 1935, and for which timely compliance has been made with the drilling requirements of section 13 of said Act of February 25, 1920, to the extent required by December 31, 1937, or, in the absence of such timely drilling, for which an acceptable cooperative or unit plan of development and operation has been filed on or before said date are all hereby extended to December 31, 1939, the provisions of any other Act or Acts to the contrary notwithstanding, subject, however, to the applicable conditions of the permits and of unfulfilled conditions of any prior extensions. All oil and gas prospecting permits shall cease and terminate without notice of cancelation on the final date of their current term, including any extension herein granted, and no extension of any permit beyond December 31, 1939, shall be granted under the authority of this Act or any other Act.

41 Stat. 441.

Termination.

Approved, August 26, 1937.

[CHAPTER 829]

AN ACT

August 26, 1937
[H. R. 4402]
[Public, No. 389]

To continue in effect a certain lease for the quarters of the post office at Grover, North Carolina, and for other purposes.

Grover, N. C., post office.
Lease for quarters continued.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lease for the quarters of the post office at Grover, North Carolina, pursuant to which rent was paid prior to the relegation, on July 1, 1934, of such post office to a post office of the fourth class, shall not be held or considered to have terminated or to terminate by reason of the provisions of the Act of May 24, 1928, entitled "An Act granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class,

45 Stat. 724.
39 U. S. C. § 60a.

[1] So in original.

and for other purposes" (U. S. C., 1934 edition, title 39, sec. 60a), but beginning as of July 1, 1934, rent for such quarters shall be paid in accordance with the terms of such lease, out of the unexpended balances of the appropriation for the fiscal year ending June 30, 1937, for rent, light, and fuel for post offices of the first, second, and third classes, after deducting from the amount of such rent payable any amounts that may have been paid by the postmaster to the owner of the building for the period that the office was in the fourth class.

49 Stat. 1852

Approved, August 26, 1937.

[CHAPTER 830]

AN ACT

August 26, 1937
[H. R. 6338]
[Public, No. 390]

To fulfill certain treaty obligations with respect to water levels of the Lake of the Woods.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is authorized and directed to pay the claims for damages against the United States arising out of the fluctuations of the water levels of the Lake of the Woods as ascertained by him under authority of section 3 of the Act entitled "An Act to carry into effect provisions of the convention between the United States and Great Britain to regulate the level of Lake of the Woods concluded on the 24th day of February 1925", approved May 22, 1926, as amended. The amount paid with respect to each claim shall be the amount of award set forth in the letter of the Secretary of War of February 16, 1931 (House Document Numbered 774, Seventy-first Congress, third session), and the letter of the Secretary of War of December 8, 1931 (House Document Numbered 133, Seventy-second Congress, first session). Such sums shall be paid to the claimant, or, in case the claimant is dead or insane, to the legal representative of the claimant. The Secretary of War is authorized and directed to prescribe such rules and regulations as may be necessary for the purpose of establishing the identity of claimants or their assignees or representatives, and his determination thereof shall be final. Payment by the Secretary of War shall be in full settlement of all claims for damages cognizable under section 3 of such Act of May 22, 1926, as amended. If with diligent effort the Secretary of War has been unable to pay any such claim within three years after the date of the enactment of this Act, the amount of such claim shall be covered into the Treasury as miscellaneous receipts.

Lake of the Woods. Payment of damage claims due to fluctuation of water levels.

44 Stat. 617, 2108.

Amount of award.

Rules to be prescribed.

Payment in full settlement, etc.

Unclaimed awards.

SEC. 2. There is authorized to be appropriated the sum of $73,270.97 to carry out the purposes of this Act.

Amount authorized.

Approved, August 26, 1937.

[CHAPTER 831]

AN ACT

August 26, 1937
[H. R. 6747]
[Public, No. 391]

To amend section 3 of the Act entitled "An Act to provide a civil government for Puerto Rico, and for other purposes", increasing borrowing margin of municipality of Mayaguez.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to provide a civil government for Puerto Rico, and for other purposes", approved March 2, 1917, as amended, be amended to read as follows:

Puerto Rico, civil government.
39 Stat. 953.
48 U. S. C. §§ 741, 741a, 745; Supp. II, §§ 745a, b.

"SEC. 3. That no export duties shall be levied or collected on exports from Puerto Rico, but taxes and assessments on property, income taxes, internal revenue, and license fees, and royalties for

Revenues.
Export duties forbidden; property and general taxes, etc.

franchises, privileges, and concessions may be imposed for the purposes of the insular and municipal governments, respectively, as may be provided and defined by the Legislature of Puerto Rico; and when necessary to anticipate taxes and revenues, bonds and other obligations may be issued by Puerto Rico or any municipal government therein as may be provided by law, and to protect the public credit: *Provided, however*, That no public indebtedness of Puerto Rico and the municipalities of San Juan, Ponce, and Mayaguez shall be allowed in excess of 10 per centum of the aggregate tax valuation of its property, and no public indebtedness of any other subdivision or municipality of Puerto Rico shall hereafter be allowed in excess of 5 per centum of the aggregate tax valuation of the property in any such subdivision or municipality, and all bonds issued by the Government of Puerto Rico, or by its authority, shall be exempt from taxation by the Government of the United States, or by the Government of Puerto Rico or of any political or municipal subdivision thereof, or by any State, Territory, or possession, or by any county, municipality, or other municipal subdivision of any State, Territory, or possession of the United States, or by the District of Columbia. In computing the indebtedness of the people of Puerto Rico, municipal bonds for the payment of interest and principal of which the good faith of the people of Puerto Rico has heretofore been pledged and bonds issued by the people of Puerto Rico secured by bonds to an equivalent amount of bonds of municipal corporations or school boards of Puerto Rico shall not be counted, but all bonds hereafter issued by any municipality or subdivision within the 5 per centum hereby authorized for which the good faith of the people of Puerto Rico is pledged shall be counted.

Bond, etc., issues.

Proviso. Limitation on indebtedness.

Bonds issued to be tax exempt.

Computation of indebtedness.

And it is further provided, That the internal-revenue taxes levied by the Legislature of Puerto Rico in pursuance of the authority granted by this Act on articles, goods, wares, or merchandise may be levied and collected as such legislature may direct, on the articles subject to said tax, as soon as the same are manufactured, sold, used, or brought into the island: *Provided*, That no discrimination be made between the articles imported from the United States or foreign countries and similar articles produced or manufactured in Puerto Rico. The officials of the Customs and Postal Services of the United States are hereby directed to assist the appropriate officials of the Puerto Rican Government in the collection of these taxes."

Levy and collection of internal-revenue taxes.

Proviso. No discrimination.

Approved, August 26, 1937.

[CHAPTER 832]

August 26, 1937
[H. R. 7051]
[Public, No. 392]

AN ACT

Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following works of improvement of rivers, harbors, and other waterways are hereby adopted and authorized, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, in accordance with the plans recommended in the respective reports hereinafter designated and subject to the conditions set forth in such documents; and that hereafter Federal investigations and improvements of rivers, harbors, and other waterways shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and the supervision of the Chief of Engineers, except as otherwise specifically provided

Rivers and harbors, improvements. Work authorized.

Jurisdiction.

by Act of Congress, which said investigations and improvements shall include a due regard for wildlife conservation:

Chelsea River or Creek (Boston), Massachusetts; Rivers and Harbors Committee Document Numbered 24, Seventy-fifth Congress; — Chelsea River or Creek (Boston), Mass.

Town River, Quincy, Massachusetts; House Document Numbered 96, Seventy-fifth Congress; — Town River, Quincy, Mass.

Scituate Harbor, Massachusetts; Rivers and Harbors Committee Document Numbered 26, Seventy-fifth Congress; — Scituate, Mass.

Cuttyhunk Harbor, Massachusetts; House Document Numbered 81, Seventy-fifth Congress; — Cuttyhunk, Mass.

Edgartown Harbor, Massachusetts; Senate Commerce Committee Document, Seventy-fourth Congress; — Edgartown, Mass.

New Bedford and Fairhaven Harbor, Massachusetts; Rivers and Harbors Committee Document Numbered 25, Seventy-fifth Congress; — New Bedford and Fairhaven, Mass.

Providence River and Harbor, Rhode Island; House Document Numbered 173, Seventy-fifth Congress; — Providence River and Harbor, R. I.

Newport Harbor, Rhode Island; Rivers and Harbors Committee Document Numbered 36, Seventy-fifth Congress; — Newport, R. I.

New London Harbor, Connecticut; Rivers and Harbors Committee Document Numbered 82, Seventy-fourth Congress; — New London, Conn.

Milford Harbor, Connecticut; House Document Numbered 77, Seventy-fifth Congress; — Milford, Conn.

Bridgeport Harbor, Connecticut; House Document Numbered 232, Seventy-fifth Congress; — Bridgeport, Conn.

Stamford Harbor, Connecticut; Rivers and Harbors Committee Document Numbered 29, Seventy-fifth Congress; — Stamford, Conn.

Flushing Bay and Creek, New York; Rivers and Harbors Committee Document Numbered 35, Seventy-fifth Congress; — Flushing Bay and Creek, N. Y.

Greenport Harbor, New York; Rivers and Harbors Committee Document Numbered 88, Seventy-fourth Congress; — Greenport, N. Y.

Long Island Intracoastal Waterway, New York; House Document Numbered 181, Seventy-fifth Congress; — Long Island Intracoastal Waterway, N. Y.

New York Harbor: Ambrose, Anchorage, and Hudson River Channels; Senate Commerce Committee Document, Seventy-fifth Congress; — New York Harbor.

Fire Island Inlet, New York; Rivers and Harbors Committee Document Numbered 33, Seventy-fifth Congress; — Fire Island Inlet, N. Y.

Newtown Creek, New York; Rivers and Harbors Committee Document Numbered 4, Seventy-fifth Congress; — Newtown Creek, N. Y.

Irvington Harbor, New York; House Document Numbered 244, Seventy-fifth Congress; — Irvington, N. Y.

Raritan River, New Jersey; Rivers and Harbors Committee Document Numbered 74, Seventy-fourth Congress; — Raritan River, N. J.

Lemon Creek, Staten Island, New York; Rivers and Harbors Committee Document Numbered 27, Seventy-fifth Congress; — Lemon Creek, Staten Island, N. Y.

Sandy Hook Bay off Atlantic Highlands, New Jersey; House Document Numbered 292, Seventy-fifth Congress; — Sandy Hook Bay, Atlantic Highlands, N. J.

Cohansey River, New Jersey; Senate Commerce Committee Document, Seventy-fifth Congress; — Cohansey River, N. J.

Barnegat Inlet, New Jersey; Rivers and Harbors Committee Document Numbered 85, Seventy-fourth Congress; — Barnegat Inlet, N. J.

Delaware River between Philadelphia, Pennsylvania, and Trenton, New Jersey; Rivers and Harbors Committee Document Numbered 90, Seventy-fourth Congress; — Delaware River, Philadelphia, Pa., to Trenton, N. J.

Saint Jones River, Delaware; Rivers and Harbors Committee Document Numbered 18, Seventy-fifth Congress; — Saint Jones River, Del.

Mispillion River, Delaware; Rivers and Harbors Committee Document Numbered 83, Seventy-fourth Congress; — Mispillion River, Del.

Indian River Inlet and Bay, Del.

Indian River Inlet and Bay, Delaware; Rivers and Harbors Committee Document Numbered 41, Seventy-fifth Congress;

Susquehanna River, Havre de Grace, Md.

Susquehanna River at Havre de Grace, Maryland; House Document Numbered 322; Seventy-fifth Congress;

Rock Hall, Md.

Rock Hall Harbor, Maryland; House Document Numbered 204, Seventy-fifth Congress;

Island Creek, Md.

Island Creek, Maryland; House Document Numbered 75, Seventy-fifth Congress;

Waterway, Little Choptank River to Choptank River, Md.

Waterway from Little Choptank River to Choptank River, Maryland; House Document Numbered 91, Seventy-fifth Congress;

Cambridge, Md.

Cambridge Harbor, Maryland; Rivers and Harbors Committee Document Numbered 7, Seventy-fifth Congress;

Fishing Bay, Md.

Fishing Bay, Maryland; House Document Numbered 186, Seventy-fifth Congress;

Nanticoke River, Md.

Nanticoke River, Maryland; House Document Numbered 242, Seventy-fifth Congress;

Wicomico River, Md.

Wicomico River, Maryland; Senate Commerce Committee Document, Seventy-fifth Congress;

Upper Thoroughfare, Deals Island, Md.

Upper Thoroughfare, Deals Island, Maryland; House Document Numbered 76, Seventy-fifth Congress;

Crisfield, Md.

Crisfield Harbor, Maryland; Rivers and Harbors Committee Document Numbered 2 and House Document Numbered 72, Seventy-fifth Congress;

Cypress Creek, Md.

Cypress Creek, Maryland; House Document Numbered 161, Seventy-fifth Congress;

Northeast River, Md.

Northeast River, Maryland; House Document Numbered 248, Seventy-fifth Congress;

Back Creek, Md.

Back Creek, Anne Arundel County, Maryland; House Document Numbered 73, Seventy-fifth Congress;

Fishing Creek, Md.

Fishing Creek, Maryland; House Document Numbered 241, Seventy-fifth Congress;

Saint Jeromes Creek, Md.

Saint Jeromes Creek, Maryland; House Document Numbered 174, Seventy-fifth Congress;

Neale Sound, Md.

Neale Sound, Maryland; House Document Numbered 159, Seventy-fifth Congress;

Chincoteague Bay, Va.

Chincoteague Bay, Virginia; House Document Numbered 233, Seventy-fifth Congress;

Onancock River, Va.

Onancock River, Virginia; House Document Numbered 74, Seventy-fifth Congress;

Coan River, Va.

Coan River, Virginia; Rivers and Harbors Committee Document Numbered 30, Seventy-fifth Congress;

Hoskins Creek, Va.

Hoskins Creek, Virginia; Rivers and Harbors Committee Document Numbered 8, Seventy-fifth Congress;

James River, Va.

James River, Virginia; Rivers and Harbors Committee Document Numbered 68, Seventy-fourth Congress;

Deep Creek, Va.

Deep Creek, Virginia; Rivers and Harbors Committee Document Numbered 76, Seventy-fourth Congress;

Lafayette River, Va.

Lafayette River, Virginia; Rivers and Harbors Committee Document Numbered 5, Seventy-fifth Congress;

Cashie River, N. C.

Cashie River, North Carolina; Rivers and Harbors Committee Document Numbered 31, Seventy-fifth Congress;

Pamlico and Tar Rivers, N. C.

Pamlico and Tar Rivers, North Carolina; Rivers and Harbors Committee Document Numbered 22, Seventy-fifth Congress;

Waterway, Pamlico Sound to Beaufort Harbor, N. C.

Waterway connecting Pamlico Sound and Beaufort Harbor, North Carolina; Rivers and Harbors Committee Document Numbered 92, Seventy-fourth Congress;

Bay River, N. C.

Bay River, North Carolina; Rivers and Harbors Committee Document Numbered 72, Seventy-fourth Congress, and House Document Numbered 185, Seventy-fifth Congress;

Morehead City Harbor and Beaufort Inlet, North Carolina; Senate Commerce Committee Document, Seventy-fourth Congress; — Morehead City and Beaufort Inlet, N. C.

Channel from Back Sound to Lookout Bight, North Carolina; House Document Numbered 251, Seventy-fifth Congress; — Channel, Back Sound to Lookout Bight, N. C

Inland Waterway, Beaufort, North Carolina, to the Cape Fear River, including waterway to Jacksonville, North Carolina; Rivers and Harbors Committee Document Numbered 16, Seventy-fifth Congress; — Waterway, Beaufort, N. C., to Cape Fear River, etc.

Cape Fear River, North Carolina, above Wilmington; Rivers and Harbors Committee Document Numbered 17, Seventy-fifth Congress; — Cape Fear River, N. C., above Wilmington.

Intracoastal Waterway from Cape Fear River, North Carolina, to Savannah, Georgia; Rivers and Harbors Committee Document Numbered 6, Seventy-fifth Congress; — Intracoastal Waterway, Cape Fear River, N. C., to Savannah, Ga.

Ashley River, South Carolina; House Document Numbered 449, Seventy-fourth Congress; — Ashley River, S. C.

Shipyard River, South Carolina; Rivers and Harbors Committee Document Numbered 38, Seventy-fifth Congress; — Shipyard River, S. C.

Savannah River below Augusta, Georgia; Rivers and Harbors Committee Document Numbered 39, Seventy-fifth Congress; — Savannah River, below Augusta, Ga.

Waterway between Beaufort, South Carolina, and Saint Johns River, Florida; Senate Commerce Committee Document, Seventy-fourth Congress; — Waterway, Beaufort, S. C., to Saint Johns River, Fla.

Intracoastal Waterway from Jacksonville to Miami, Florida; House Document Numbered 180, Seventy-fifth Congress; — Intracoastal Waterway, Jacksonville to Miami, Fla.

Melbourne Harbor, Florida; House Document Numbered 390, Seventy-fourth Congress; — Melbourne, Fla.

Miami Harbor, Florida; Rivers and Harbors Committee Document Numbered 86, Seventy-fourth Congress; — Miami, Fla.

Caloosahatchee River and Lake Okeechobee Drainage Areas, Florida; Rivers and Harbors Committee Document Numbered 28, Seventy-fifth Congress; — Caloosahatchee River and Lake Okeechobee Drainage Areas, Fla.

Charlotte Harbor, Florida; Rivers and Harbors Committee Document Numbered 95, Seventy-fourth Congress; — Charlotte, Fla

Sarasota Bay, Florida; House Document Numbered 80, Seventy-fifth Congress; — Sarasota Bay, Fla.

Saint Petersburg Harbor, Florida; Rivers and Harbors Committee Document Numbered 71, Seventy-fourth Congress; — Saint Petersburg, Fla.

Steinhatchee River, Florida; Rivers and Harbors Committee Document Numbered 87, Seventy-fourth Congress; — Steinhatchee River, Fla.

Intracoastal Waterway from Apalachicola Bay to Saint Marks River, Florida; House Document Numbered 291, Seventy-fifth Congress; — Intracoastal Waterway, Apalachicola Bay to Saint Marks River, Fla.

Saint Marks River, Florida; Rivers and Harbors Committee Document Numbered 77, Seventy-fourth Congress; — Saint Marks River, Fla.

Saint Josephs Bay, Florida; Rivers and Harbors Committee Document Numbered 10, Seventy-fifth Congress; — Saint Josephs Bay, Fla.

Carrabelle Bar and Harbor, Florida; House Document Numbered 184, Seventy-fifth Congress; — Carrabelle Bar and Harbor, Fla.

Pensacola Harbor, Florida; Rivers and Harbors Committee Document Numbered 96, Seventy-fourth Congress; — Pensacola, Fla.

Mobile Harbor, Alabama; Rivers and Harbors Committee Documents Numbered 69, Seventy-fourth Congress, and 44, Seventy-fifth Congress; — Mobile, Ala.

Bayous La Loutre, Saint Malo, and Ysclosky, Louisiana; House Document Numbered 275, Seventy-fifth Congress; — Bayous La Loutre, etc., La.

Bayou Dupre, Louisiana; House Document Numbered 321, Seventy-fifth Congress; — Bayou Dupre, La.

Vinton Waterway, Louisiana; House Document Numbered 160, Seventy-fifth Congress; — Vinton Waterway, La.

Calcasieu River and Pass, La.

Calcasieu River and Pass, Louisiana; House Document Numbered 299, Seventy-fifth Congress;

Bayous Petit Anse, etc., La.

Bayous Petit Anse, Tigre, and Carlin, Louisiana; Rivers and Harbors Committee Document Numbered 40, Seventy-fifth Congress;

Waterway, White Lake to Pecan Island, La.

Waterway from White Lake to Pecan Island, Louisiana; House Document Numbered 78, Seventy-fifth Congress;

Sabine-Neches Waterway, Tex.

Sabine-Neches Waterway, Texas; Rivers and Harbors Committee Document Numbered 3, Seventy-fifth Congress;

Louisiana and Texas Intracoastal Waterway, La. and Tex.

Louisiana and Texas Intracoastal Waterway, Louisiana and Texas; Senate Commerce Committee Document, Seventy-fifth Congress;

Texas City Channel, Tex.

Texas City Channel, Texas; Rivers and Harbors Committee Document Numbered 47, Seventy-fifth Congress;

Channel, Pass Cavallo to Port Lavaca, Tex.

Channel from Pass Cavallo to Port Lavaca, Texas; Rivers and Harbors Committee Document Numbered 37, Seventy-fifth Congress;

Brazos Island, Tex.

Brazos Island Harbor, Texas; Rivers and Harbors Committee Document Numbered 32, Seventy-fifth Congress;

Ouachita and Black Rivers, Ark. and La.

Ouachita and Black Rivers, Arkansas and Louisiana; Senate Commerce Committee Document, Seventy-fifth Congress;

Mississippi River, Missouri River to Minneapolis, Minn.

Mississippi River between Missouri River and Minneapolis, Minnesota: The existing project is hereby modified in accordance with the recommendation of the District Engineer in the report submitted in Rivers and Harbors Committee Document Numbered 34, Seventy-fifth Congress;

At Minneapolis, Minn.

Mississippi River, Minneapolis, Minnesota: Extension of the nine foot channel above Saint Anthony's Falls, in accordance with the plan contained in House Document Numbered 137, Seventy-second Congress, first session; subject to such changes therein as may be found advisable by the Chief of Engineers, and the final approval of the plan by the Board of Engineers for Rivers and Harbors, as necessary to provide adequate terminal facilities for Minneapolis;

Black River, Wis.

Black River, Wisconsin; Rivers and Harbors Committee Document Numbered 23, Seventy-fifth Congress;

Indiana Harbor and Canal, Ind.

Indiana Harbor and Canal, Indiana; Rivers and Harbors Committee Document Numbered 13, Seventy-fifth Congress;

Ontonagon, Mich.

Ontonagon Harbor, Michigan; Senate Commerce Committee Document, Seventy-fourth Congress;

Cornucopia, Wis.

Cornucopia Harbor, Wisconsin; Senate Commerce Committee Document, Seventy-fifth Congress;

Green Bay, Wis.

Green Bay Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 73, Seventy-fourth Congress;

Big Suamico River, Wis.

Big Suamico River, Wisconsin; House Document Numbered 498, Seventy-fourth Congress;

Manitowoc, Wis.

Manitowoc Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 80, Seventy-fourth Congress;

Racine, Wis.

Racine Harbor, Wisconsin; Rivers and Harbors Committee Document Numbered 46, Seventy-fifth Congress;

Pensaukee, Wis.

Pensaukee Harbor, Wisconsin; House Document Numbered 478, Seventy-fourth Congress;

Harbors at Washington Island, Wis.

Harbors at Washington Island, Wisconsin; House Document Numbered 90, Seventy-fifth Congress;

Grand Haven, Mich.

Grand Haven Harbor, Michigan; Rivers and Harbors Committee Document Numbered 1, Seventy-fifth Congress;

Frankfort, Mich.

Frankfort Harbor, Michigan; House Document Numbered 511, Seventy-fourth Congress;

Detroit River, Mich.

Detroit River, Michigan; House Document Numbered 205, Seventy-fifth Congress;

Monroe, Mich.

Monroe Harbor, Michigan; Rivers and Harbors Committee Document Numbered 45, Seventy-fifth Congress;

Cheboygan Harbor, Michigan; House Document Numbered 134, Seventy-fifth Congress; — Cheboygan, Mich.

Saginaw River, Michigan; Rivers and Harbors Committee Document Numbered 21, Seventy-fifth Congress; — Saginaw River, Mich.

Put in Bay, Ohio; House Document Numbered 132, Seventy-fifth Congress; — Put in Bay, Ohio.

Rocky River Harbor, Ohio; House Document Numbered 70, Seventy-fifth Congress; — Rocky River, Ohio.

Cleveland Harbor, Ohio; Rivers and Harbors Committee Document Numbered 84, Seventy-fourth Congress; — Cleveland, Ohio.

Fairport Harbor, Ohio; Rivers and Harbors Committee Document Numbered 79, Seventy-fourth Congress; — Fairport, Ohio.

Ashtabula Harbor, Ohio; Rivers and Harbors Committee Document Numbered 78, Seventy-fourth Congress; — Ashtabula, Ohio.

San Diego Harbor, California; Rivers and Harbors Committee Document Numbered 89, Seventy-fourth Congress; — San Diego, Calif.

Newport Bay, California; Senate Commerce Committee Document, Seventy-fifth Congress; — Newport Bay, Calif.

San Francisco Harbor, California; Rivers and Harbors Committee Document Numbered 12, Seventy-fifth Congress; — San Francisco, Calif.

Sacramento River flood control, California; Senate Commerce Committee Document, Seventy-fifth Congress; — Sacramento River flood control, Calif.

Humboldt Bay and Harbor, California; Rivers and Harbors Committee Document Numbered 11, Seventy-fifth Congress; — Humboldt Bay and Harbor, Calif.

Crescent City Harbor, California; Senate Commerce Committee Document, Seventy-fifth Congress; — Crescent City, Calif.

San Joaquin River, California; Rivers and Harbors Committee Document Numbered 15, Seventy-fifth Congress; — San Joaquin River, Calif.

Suisun Channel, California; Rivers and Harbors Committee Document Numbered 97, Seventy-fourth Congress; — Suisun Channel, Calif.

Old River, California; House Document Numbered 151, Seventy-fifth Congress; — Old River, Calif.

Yaquina Bay and Harbor, Oregon; Senate Commerce Committee Document, Seventy-fifth Congress; — Yaquina Bay and Harbor, Oreg.

De Poe Bay, Oregon; House Document Numbered 202, Seventy-fifth Congress; — De Poe Bay, Oreg.

Skipanon Channel, Oregon; House Document Numbered 201, Seventy-fifth Congress; — Skipanon Channel, Oreg.

Columbia River between the mouth of the Willamette and Vancouver, Washington; Rivers and Harbors Committee Document Numbered 81, Seventy-fourth Congress; — Columbia River, Willamette River to Vancouver, Wash.

Columbia and Lower Willamette Rivers, below Vancouver, Washington, and Portland, Oregon; House Document Numbered 203, Seventy-fifth Congress; — Columbia and Lower Willamette Rivers below Vancouver, Wash., and Portland, Oreg.

Westport Slough, Oregon; House Document Numbered 79, Seventy-fifth Congress; — Westport Slough, Oreg.

Elokomin Slough, Washington; House Document Numbered 510, Seventy-fourth Congress; — Elokomin Slough, Wash.

Columbia River between Vancouver, Washington, and Bonneville, Oregon; Rivers and Harbors Committee Document Numbered 94, Seventy-fourth Congress; — Columbia River, Vancouver, Wash., to Bonneville, Oreg.

Bellingham Harbor, Washington; Rivers and Harbors Committee Document Numbered 70, Seventy-fourth Congress; — Bellingham, Wash.

Olympia Harbor, Washington; Rivers and Harbors Committee Document Numbered 75, Seventy-fourth Congress; — Olympia, Wash.

Tacoma Harbor, Washington; Rivers and Harbors Committee Document Numbered 91, Seventy-fourth Congress; — Tacoma, Wash.

Sitka Harbor, Alaska; House Document Numbered 268, Seventy-fifth Congress; — Sitka, Alaska.

Juneau, Alaska.

Juneau Harbor, Alaska; House Document Numbered 249, Seventy-fifth Congress;

Wake Island.

Wake Island; House Document Numbered 84, Seventy-fifth Congress;

Welles, Midway Island.

Welles Harbor, Midway Island; House Document Numbered 49 and Rivers and Harbors Committee Document Numbered 9, Seventy-fifth Congress;

San Juan, P. R.

San Juan Harbor, Puerto Rico; Rivers and Harbors Committee Document Numbered 42, Seventy-fifth Congress;

Arecibo, P. R.

Arecibo Harbor, Puerto Rico; Rivers and Harbors Committee Document Numbered 43, Seventy-fifth Congress;

Guayanes, P. R.

Guayanes Harbor, Puerto Rico; House Document Numbered 243, Seventy-fifth Congress;

Saint Thomas, Virgin Islands.

Saint Thomas Harbor, Virgin Islands; House Document Numbered 200, Seventy-fifth Congress.

Central Valley project, Calif.
Transfer of jurisdiction.
49 Stat. 1038, 1622.

SEC. 2. That the $12,000,000 recommended for expenditure for a part of the Central Valley project, California, in accordance with the plans set forth in Rivers and Harbors Committee Document Numbered 35, Seventy-third Congress, and adopted and authorized by the provisions of section 1 of the Act of August 30, 1935 (49 Stat. 1028, at 1038), entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", shall, when appropriated, be available for expenditure in accordance with the said plans by the Secretary of the Interior instead of the Secretary of War: *Provided*, That the transfer of authority from the Secretary of War to the Secretary of the Interior shall not render the expenditure of this fund reimbursable under the reclamation law: *Provided further*, That the entire Central Valley project, California, heretofore authorized and established under the provisions of the Emergency Relief Appropriation Act of 1935 (49 Stat. 115) and the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat. 1622), is hereby reauthorized and declared to be for the purposes of improving navigation, regulating the flow of the San Joaquin River and the Sacramento River, controlling floods, providing for storage and for the delivery of the stored waters thereof, for the reclamation of arid and semiarid lands and lands of Indian reservations, and other beneficial uses, and for the generation and sale of electric energy as a means of financially aiding and assisting such undertakings and in order to permit the full utilization of the works constructed to accomplish the aforesaid purposes: *Provided further*, That, except as herein otherwise specifically provided, the provisions of the reclamation law, as amended, shall govern the repayment of expenditures and the construction, operation, and maintenance of the dams, canals, power plants, pumping plants, transmission lines, and incidental works deemed necessary to said entire project, and the Secretary of the Interior may enter into repayment contracts, and other necessary contracts, with State agencies, authorities, associations, persons, and corporations, either public or private, including all agencies with which contracts are authorized under the reclamation law, and may acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, water rights, and other property necessary for said purposes: *And provided further*, That the said dam and reservoirs shall be used, first, for river regulation, improvement of navigation, and flood control; second, for irrigation and domestic uses; and, third, for power.

Provisos.
Expenditure of fund not reimbursable.

Project reauthorized.

49 Stat. 115, 1622.

Purposes declared.

Repayments authorized.

Uses specified.

Marshall Ford Dam, Colorado River project, Tex.

SEC. 3. That for the purpose of improving navigation, controlling floods, regulating the flow of streams, providing for storage and for delivery of stored waters, for the reclamation of lands, and

other beneficial uses, and for the generation of electric energy as a means of financially aiding and assisting such undertaking, the project known as "Marshall Ford Dam", Colorado River project, in Texas, is hereby authorized and adopted and all contracts and agreements which have been executed in connection therewith are hereby validated and ratified, and the Secretary of the Interior, acting through such agents as he may designate, is hereby authorized to construct, operate, and maintain all structures and incidental works necessary to such project, and in connection therewith to make and enter into any and all necessary contracts including contracts amendatory of or supplemental to those hereby validated and ratified.

Contracts and agreements

Construction, operation, etc., of structures.

SEC. 4. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys to be made at the following-named localities, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed are submitted no supplemental or additional report or estimate shall be made unless authorized by law: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Preliminary examinations and surveys authorized

Provisos
Restriction.

Reports

Adoption.

Surveys designated.

Northeast Harbor, Maine.

Presumpscot River, Maine.

Portland Harbor, Maine, north of House Island, to determine advisability of removing shoal.

Inland waterway between Merrimack River, Massachusetts, and Hampton Harbor, New Hampshire, by way of Black Rock Creek and Blackwater River.

Harbor of refuge at or in the vicinity of Swampscott, Massachusetts.

Ipswich River, Massachusetts.

Boston Harbor, Massachusetts.

Scituate Harbor, Massachusetts.

Saugus River, Massachusetts.

Nantasket (Hull) Gut, Massachusetts.

Wellfleet Harbor, Massachusetts.

Padanaram Harbor, at South Dartmouth, Massachusetts.

Warren River and Barrington Harbor, Rhode Island.

Connecticut River, below Hartford, Connecticut, including North Cove in the town of Old Saybrook.

Clinton Harbor, Connecticut.

Mianus River, Connecticut.

Westcott Cove, Connecticut.

Norwalk Harbor, Connecticut.

Greenwich Harbor, Connecticut.

Orowoc Creek, New York,

Huntington Harbor, New York.

Northport Harbor, New York.

Bronx Kills and Harlem River, New York.

Rondout Harbor, New York.

Waterway from Albany to Schenectady, New York, by way of Hudson and Mohawk Rivers, with a view to securing a depth of twenty-seven feet and suitable width.

Great Kills, Staten Island, New York.

Inland waterway from Delaware River to Chesapeake Bay, Delaware and Maryland, with a view to dredging a turning basin in the vicinity of the Chesapeake Cruising Club Docks at Chesapeake City.

Cedar Creek, New Jersey.

Inland waterway through Cumberland, Cape May, and Atlantic Counties, New Jersey, connecting the mouth of Fortescue Creek with Atlantic City.

Waterway from Pleasantville, New Jersey, through Lake Bay, to deep water at Atlantic City, including connecting channel to Ocean City.

Baltimore Harbor and Channels. Maryland.

Choptank River, Maryland.

Duck Point Cove and Tedious Creek, Maryland.

Lower Thoroughfare, Deals Island, Maryland.

Town River, at Oxford, Maryland.

Hearns Creek, Dorchester County, Maryland.

Middle River and Dark Head Creek, Back River to Chesapeake Bay via Harts Island Narrows, and a cut-off channel from Gunpowder River to Chesapeake Bay via Spry Island Narrows, Maryland.

Saint Patricks Creek, Saint Marys County, Maryland.

Eli Cove, an arm of Stoney Creek, Anne Arundel County, Maryland.

Saint Catherines Sound, Saint Marys County, Maryland.

Mill Creek, Anne Arundel County, Maryland.

Plum Point Creek, Calvert County, Maryland.

Channel to Island Creek, Saint Georges Island, Saint Marys County, Maryland.

Channel connecting Herring Bay via Rockhole Creek to West River, Anne Arundel County, Maryland.

Pocomoke River, Maryland, from a point above Snow Hill to deep water in Pocomoke Sound.

Inland waterway from Ocean City, Maryland, to Chincoteague Bay.

Channels to and near Jefferson Islands, Chesapeake Bay, Maryland, with a view to their establishment as an aid to navigation and the establishment of a harbor of refuge.

Smallers Drain, Assateague Island, Virginia.

Channels at and near Hog Island, Virginia, with a view to their protection and preservation; also the protection of Hog Island and property thereon from erosion and storms.

Assateague Channel, Accomac County, Virginia, with a view to its protection and preservation; also the protection of Chincoteague Island and property thereon from erosion and storms.

Channel leading from Broadway Road, near Cashville, Accomac County, Virginia, to deep water in Onancock River.

Chincoteague Bay, Accomac County, Virginia, with a view to providing a protected anchorage and harbor for small boats at Chincoteague, Virginia.

Folly Creek, Accomac County, Virginia.

Hulls Creek and Rogers Creek, Northumberland County, Virginia.

Greenvale (Fairweather) Creek, Lancaster County, Virginia.

Whitings Creek, Middlesex County, Virginia.

Meachims Creek, Middlesex County, Virginia.

Woods Creek, Middlesex County, Virginia.

Queens Creek, Mathews County, Virginia, to provide adequate channel to deep water in Hills Bay.

Garden Creek, Mathews County, Virginia.

Western shores of Chesapeake Bay from Plum Point, York County, Virginia, to the waters at Hampton Roads, with a view to protecting the navigable waters of Chesapeake Bay and Hampton Roads from shoaling.

Burwells Bay, Virginia.

Southern branch of Elizabeth River, Norfolk Harbor, Virginia.

Inland waterway from Norfolk, Virginia, to Beaufort Inlet, North Carolina, with a view to the protection of lands in the vicinity of the lock at Great Bridge against flooding by storm tides.

Belhaven Harbor, North Carolina.

Dolls Creek, North Carolina.

Neuse River, North Carolina, with a view to improvement for navigation and flood control between the Johnson County line and New Bern.

Channel leading from the southeasterly end of Rollinson Channel, North Carolina, to the wharves in front of the town of Hatteras, North Carolina.

Channel from Edenton Bay, North Carolina, into Pembroke Creek to United States Fish Hatchery.

Channel from Pamlico Sound through Pugh's Channel to the town of Rodanthe, North Carolina.

Contentnea Creek, North Carolina, from a point near Wilson to its confluence with the Neuse River, with a view to improvement in the interest of navigation and flood control.

Beresford Creek, South Carolina, from Cooper River to Bridge Farm Wharves.

Waterway, approximately eight feet deep and fifty feet bottom width, from Crescent Lake, Florida, by way of Haw Creek to Bunnell, thence by way of a land cut to the sea at Flagler Beach.

Canaveral Harbor, Florida.

Channel from the Intracoastal Waterway to a point at or near Vero Beach, Florida.

Channel from main channel of the Intracoastal Waterway to the mainland at Sebastian, Florida.

Indian River, Indian River (Vero Beach), Saint Johns River Waterway, Florida.

Waterway from Punta Rasa, Florida, by way of the Caloosahatchee River and Canal, Lake Okeechobee, and Saint Lucie Canal and River, to the Intracoastal Waterway at Stuart.

Caloosahatchee River and Lake Okeechobee Drainage Areas, Florida, with a view to constructing additional levees between Kissimmee River and Fisheating Creek.

Hillsboro River, Florida, from the upper end of the existing project to Sulphur Springs.

Waterway from Anclote River, by way of Lake Butler, to a point near Safety Harbor on Old Tampa Bay, Florida.

Anclote River, Florida.

Pithlachascotee River, Florida.

Fenholloway River, Florida.

Hudson Creek, Pasco County, Florida.

Weekiwachee River, Florida.

Florida River, Liberty County, Florida, and the Apalachicola River at and near the mouth of the Florida River.

Waterway between a suitable point on the channel from Apalachicola River to Saint Andrews Bay, Florida, and a suitable point in Saint Josephs Bay where the depth of said bay is thirty feet or more.

East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Florida.

Valley Creek, Alabama, to a point at or near Birmingham.

Gulfport Harbor, Mississippi.

Bayou Legare, Mississippi, at the mouth of the Jordan River.

Back Bay of Biloxi, Mississippi.

Mississippi River at and near New Orleans, Louisiana.

Lake Pontchartrain, Louisiana, between the New Basin Canal and the Industrial Canal, for a harbor of refuge.

Bayou Teche, Louisiana: Upper portion, with a view to improvement in the interest of navigation and flood control.

Deep-water channel from New Iberia to the Gulf of Mexico.

Colorado River, and its tributaries, Texas, with a view to its improvement in the interest of navigation and flood control.

Goose Creek, Texas. Deep-water channel and port.

Arroyo Colorado, Texas. A channel from a point at or near Mercedes, Texas, to its mouth, thence south in Laguna Madre to Port Isabel.

Survey of channel for the purposes of navigation from Jefferson, Texas, to Shreveport, Louisiana, by way of Jefferson-Shreveport Waterway, thence by way of Red River to mouth of Red River in the Mississippi River, including advisability of water-supply reservoirs in Cypress River and Black Cypress River above head of navigation.

Sabine-Neches Waterway, Texas.

Texas City Channel, Texas.

Brazos River, Texas, a comprehensive survey with a view to preparing plans, estimates of the cost of improvements for navigation, flood control, water conservation, and reclamation, excluding therefrom work now in progress under the Works Progress Administration. The expense of such survey shall be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Channel from Palacios, Texas, and Camp John A. Hulen, to the Intracoastal Waterway.

Channel connecting San Antonio Bay, Texas, with the Gulf of Mexico.

Allens Creek, a tributary of the Brazos River in Austin County, Texas, in the interest of navigation and of flood control.

Mill Creek, a tributary of the Brazos River in Austin County, Texas, in the interest of navigation and of flood control.

Navidad River, Texas, in the interest of navigation and of flood control.

Lavaca River, Texas, in the interest of navigation and of flood control.

Channel or channels across Padre Island, Texas, from Laguna Madre to the Gulf of Mexico.

Corpus Christi, Texas, with a view to its protection by the construction of breakwaters, sea walls, or jetties.

Canal from Ouachita River to Huttig, Arkansas.

Carter Lake, Iowa and Nebraska.

Meredosia Bay, Illinois River, Illinois.

Tanners Creek, Dearborn County, Indiana.

Gladstone Harbor, Michigan.

Escanaba Harbor, Michigan.

Miller Bay, Lake Winnebago, Wisconsin.

Mona Lake (Lake Harbor) Channel, Michigan.

Kenosha Harbor, Wisconsin.

The Indiana shore of Lake Michigan with a view to the establishment of a harbor at the most suitable site.

Harbors at Glen Haven and Glen Arbor, Michigan.

Petoskey Harbor, Michigan.
The coasts of the Great Lakes with a view to the establishment of harbors of refuge for light-draft vessels.
Saginaw Bay, Michigan.
Grand Traverse Bay, Michigan.
Put in Bay, Ohio.
Ottawa River, Ohio.
Erie Harbor, Pennsylvania, beach numbered 2.
Wilson Harbor, New York.
Rochester (Charlotte) Harbor, Genesee River, New York.
Upper Newport Bay, California.
Harbor at Playa Del Ray, California.
Monterey Harbor, California.
San Lorenzo River, California.
Sonoma Creek, California.
Noyo River, California, including harbor at the mouth thereof.
Benicia Harbor, Solano County, California.
Collinsville Cut, Solano County, California.
Werner Cut, near Werner, Contra Costa County, California.
Alamitos Bay, Los Angeles County, California.
Smugglers Cove (Short Sands Beach), Oregon.
Necanicum River, Oregon.
Channel at Knappton, Washington.
Columbia River at and in the vicinity of Camas, Washington.
Port Angeles Harbor, Washington.
Unga Harbor, Alaska.
Seldovia Harbor, Alaska.
Waterway to connect Tenakee Inlet and Port Frederick on Chichagof Island, Alaska.
Wrangell Harbor, Alaska.
Craig Harbor, Alaska.
Grantley Harbor at Teller, Alaska.
Mouth of Sinuk River, Alaska.
Elfin Cove, Alaska.
Myers Chuck Harbor, Alaska.
Hilo Harbor, Hawaii, including consideration of methods to prevent shoaling by the flow of lava.
Keehi Lagoon, Honolulu, for a seaplane harbor.
Jobos Harbor, Guayama, Puerto Rico.
Fajardo Harbor, Fajardo, Puerto Rico.
Guayanilla Harbor, Guayanilla, Puerto Rico.

Ohio River, pollution deposits.

SEC. 5. That the Secretary of War is hereby authorized and directed to cause a survey to be made of the Ohio River and its tributaries to ascertain what pollutive substances are being deposited, directly or indirectly, therein and the sources and extent of such deposits, and with a view to determining the most feasible method of correcting and eliminating the pollution of these streams.

Cooperation of Public Health Service.

The survey herein authorized shall include comprehensive investigations and studies of the various problems relating to stream pollution and its prevention and abatement. In making these investigations and studies, and in the development and formulation of corrective plans, the Secretary of War may, with the approval of the Secretary of the Treasury, secure the cooperation and assistance of the Public Health Service, and may allot funds from the appropriation hereinafter designated to pay for such cooperation and assistance. The survey shall be completed as soon as practicable after the passage of this Act, and the Secretary of War shall report the results thereof to the Congress, together with such recommendations for remedial legislation as he deems advisable.

Report to Congress.

Expenses.

The cost of the survey, and such incidental expenses as may be necessary in connection therewith, shall be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Little Callao Landing, Big Sunflower River, Miss.
Project abandoned.

SEC. 6. That the project for the maintenance and operation of the lock and dam at Little Callao Landing, mile 62, Big Sunflower River, Mississippi, be, and the same is hereby, abandoned. That the right of Congress to alter, amend, or repeal this section is hereby expressly reserved.

Sabine-Neches Waterway.
Portion of project at Beaumont, Tex., abandoned.

SEC. 7. That the project for improvement of the existing channel of that section of the Sabine-Neches Waterway, Texas, south and west of Harbor Island from a point opposite Orleans Street, in the city of Beaumont, Texas, to the junction of the main channel in the Neches River, be, and the same is hereby, abandoned. That the right of Congress to alter, amend, or repeal this section is hereby expressly reserved.

Eastside, Oreg., dam, etc., construction.

SEC. 8. That authority is hereby granted to the State of Oregon, acting through its highway department, and to the city of Eastside, Coos County, Oregon, a municipal corporation organized under the laws of the State of Oregon, to construct, maintain, and operate, at a point suitable to the interest of navigation, a dam and dike for preventing the flow of tidal waters into Willanch Slough in Coos County, Oregon.

Approval of plans.

Work shall not be commenced on such dam and dike until the plans therefor, including plans for all accessory works, are submitted to and approved by the Chief of Engineers and the Secretary of War, who may impose such conditions and stipulations as they deem necessary to protect the interests of the United States.

Time of construction.

The authority granted by this section shall terminate if the actual construction of the dam and dike hereby authorized is not commenced within one year and completed within three years from the date of the passage of this Act. The right to alter, amend, or repeal this section is hereby expressly reserved.

Amendment, etc.

North Slough, Oreg., dam construction, etc.

SEC. 9. That authority is hereby granted to the State of Oregon, acting through its highway department, to the North Slough Drainage District, and to the North Slough Diking District, organized under the laws of the State of Oregon, to construct, maintain, and operate, at a point suitable to the interests of navigation, a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oregon, in township 24 south, range 13 west, Willamette meridian.

Approval of plans.

Work shall not be commenced on such dam and dike until the plans therefor, including plans for all accessory works, are submitted to and approved by the Chief of Engineers and the Secretary of War, who may impose such conditions and stipulations as they deem necessary to protect the interests of the United States.

Time of construction.

The authority granted by this Act shall terminate if the actual construction of the dam and dike hereby authorized is not commenced within one year and completed within three years from the date of the passage of this Act. The right to alter, amend, or repeal this section is hereby expressly reserved.

Amendment, etc.

Rivers and harbors, compilation of laws relating to improvement.

SEC. 10. That the laws of the United States relating to the improvement of rivers and harbors, passed between March 4, 1913, until and including the laws of the first session of the Seventy-fifth Congress, shall be compiled under the direction of the Secretary of War and printed as a document, and that six hundred additional copies shall be printed for the use of the War Department.

Approved, August 26, 1937.

[CHAPTER 833]

AN ACT

To authorize an exchange of lands at the New Cumberland General Depot, Pennsylvania.

August 26, 1937
[H. R. 7210]
[Public, No. 393]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to convey to the Commonwealth of Pennsylvania all right, title, and interest of the United States in and to that portion of the New Cumberland General Depot, New Cumberland, Pennsylvania, consisting of that portion of the said depot lying in the northwest corner thereof and now occupied by the Commonwealth of Pennsylvania under a lease dated June 2, 1936, and to accept in exchange therefor a conveyance from the Commonwealth of Pennsylvania of the fee-simple title to a tract of land adjoining New Cumberland General Depot of approximately the same area, both conveyances to be under such terms and conditions as may be prescribed by the Secretary of War.

New Cumberland General Depot, Pa.
Exchange of lands at, authorized.

Approved, August 26, 1937.

[CHAPTER 834]

AN ACT

To authorize appropriations for construction and rehabilitation at military posts, and for other purposes.

August 26, 1937
[H. R. 7645]
[Public, No. 394]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated not to exceed $25,587,456, to be expended for the construction, rehabilitation, and installation at military posts of such buildings and utilities and appurtenances thereto as may be necessary, as follows:

Military posts.
Construction, rehabilitation, etc.

Station	Description of construction	Amount
Army and Navy General Hospital, Hot Springs, Ark.	Quarters	$34,000
	Telephone	1,000
Total		35,000
Air Corps Technical School, Denver, Colo.	Barracks	935,000
	Hospital headquarters and administration building.	200,000
	School building	540,000
	Runways	300,000
	Grading and improving landing field	300,000
Total		2,275,000
Fort Barrancas, Fla	Quarters (noncommissioned officers, 10)	85,000
	Telephone construction	2,000
Total		87,000
Fort Benning, Ga	Water system, improvements to pumping and filtration plants; reservoir storage.	180,000

Station	Description of construction	Amount
Fort Bliss, Tex	Barracks	$275,000
	Quarters (warrant officers and noncommissioned officers, 20).	170,000
	Radio station, including towers (Biggs Field).	17,000
	Telephone construction	1,000
Total		463,000
Fort Bragg, N. C	Barracks	412,500
	Telephone construction	1,000
Total		413,500
Carlisle Barracks, Pa	Quarters	238,000
	Telephone construction	3,000
	Quarters	348,000
	Sterilizing plant, etc	35,000
	Barracks (125 men)	137,500
Total		761,500
Chanute Field, Ill	Barracks, including mess facilities	1,035,000
	Quarters, noncommissioned officers	505,000
	Hospital	300,000
	Central heating plant, beginning	500,000
	School building	540,000
Total		2,880,000
Fort Crook, Nebr	Barracks (addition to)	55,000
	Barracks	137,500
	Telephone construction	500
Total		193,000
Fort Devens, Mass	Quarters, officers	107,400
	Quarters, noncommissioned officers	42,500
	Telephone, telegraph, and radio station	45,000
	Telephone construction	6,000
Total		200,900
Fort Douglas, Utah	Medical detachment barracks	42,000
Fort DuPont, Del	Barracks	412,500
	Telephone construction	1,000
Total		413,500
Fort Ethan Allen, Vt	Quarters (30 noncommissioned officers)	255,000
	Telephone	2,500
Total		257,500

Station	Description of construction	Amount
Fitzsimons General Hospital, Colo.	Hospital	$1, 750, 000
	Telephone construction	20, 000
Total		1, 770, 000
Frankford Arsenal, Philadelphia, Pa.	Office building	225, 000
	Extension building no. 127 acoustic laboratory.	23, 000
	Extension of annealing room building no. 215.	7, 000
Total		255, 000
Fort Sam Houston, Tex	Hospital (addition)	235, 000
	Basement in transmitter building	4, 000
	Barracks	550, 000
	Telephone construction	4, 000
Total		793, 000
Fort Huachuca, Ariz	Hospital (50 beds, 32 Medical Detachment).	225, 000
	Barracks (250 men)	275, 000
	Telephone construction	500
Total		500, 500
Fort Humphreys, D. C	Reproduction plant	74, 880
	Telephone construction	3, 500
Total		78, 380
Jefferson Barracks, Mo	Barracks (medical and other detachment)	82, 500
	Mess and kitchen addition to barracks	60, 000
	Nurses quarters	63, 000
Total		205, 500
Fort Knox, Ky	Hospital	200, 000
	Barracks	550, 000
	Quarters	277, 200
	Telephone construction	10, 000
Total		1, 037, 200
Fort Leavenworth, Kans	Auditorium and production plant	600, 000
Madison Barracks, N. Y	Barracks	137, 500
	Quarters, noncommissioned officers	136, 000
	Telephone construction	1, 000
	Water supply	85, 000
Total		359, 500

Station	Description of construction	Amount
Fort McArthur, Calif.	Barracks and utilities	$137,500
	Telephone construction	1,000
Total		138,500
Fort McPherson, Ga.	Radio station	23,000
	Dental clinic	85,000
Total		108,000
Fort Monmouth, N. J.	Barracks	137,500
	Signal Corps laboratory	220,000
	Telephone construction	20,000
Total		377,500
Fort Monroe, Va.	Barracks, quartermaster detachment	110,000
	Barracks (addition to)	225,000
	Enlisted Specialists' School	69,500
	Telephone construction	12,000
Total		416,500
Fort Myer, Va.	Hospital addition	9,000
	Barracks Building No. 104	55,000
	Barracks (addition to)	220,000
	Telephone construction	500
Total		284,500
Presidio of San Francisco, Calif.	Barracks (250 men)	275,000
	Barracks, Quartermaster and detachments	275,000
	Telephone construction	5,000
	Quarters (noncommissioned officers) telephone construction and utilities.	38,870
Total		593,870
Fort Riley, Kans.	Academic building	400,000
	Telephone construction	5,000
Total		405,000
Fort D. A. Russell, Tex.	Motor shop, truck, and gun shed	77,818
Fort Sill, Okla.	Barracks	330,000
	Telephone construction	1,000
Total		331,000
Fort Thomas, Ky.	Barracks	412,500
	Telephone construction	2,500
Total		415,000
Fort Francis E. Warren, Wyo.	Barracks, medical detachment	137,500
	Gymnasium	140,000
Total		277,500

Station	Description of construction	Amount
Headquarters Provisional Brigade and Washington Quartermaster Depot, D. C.	Barracks	$1, 320, 000
	Land, purchase of	573, 188
Total		1, 893, 188
Fort Washington, Md	Quarters (officers' double)	30, 000
Fort Wayne, Mich	Quarters (8 noncommissioned officers)	68, 000
Total for the United States.		19, 217, 356
HAWAII		
Schofield Barracks	Barracks, Eleventh Field Artillery	1, 256, 200
	Barracks, detachments	498, 300
	Telephone construction	11, 000
	Barracks, detachments	283, 800
Total		2, 049, 300
Fort Shafter	Barracks	825, 000
	Telephone construction	2, 500
Total		827, 500
Department Headquarters, Fort Shafter.	Quarters	246, 500
Tripler General Hospital	Barracks, medical detachment	176, 000
	Telephone construction	3, 000
Total		179, 000
Total, Hawaii		3, 302, 300
PANAMA		
Fort Clayton	Barracks	825, 000
	Telephone	3, 000
	Barracks	687, 500
	Telephone construction	2, 000
Total		1, 517, 500
Corozal General Depot	Barracks	454, 300
	Telephone construction	5, 000
Total		459, 300
Fort Davis	Barracks	550, 000
	Telephone construction	3, 000
Total		553, 000

Station	Description of construction	Amount
PANAMA—continued		
Fort de Lesseps	Barracks	$120,000
Fort Kobbe	Barracks	55,000
	Warehouse and shops	20,000
	Special project	7,000
	Water tank	8,000
Total		90,000
Panama Canal Zone	Rehabilitation	328,000
Total, Panama		3,067,800
Grand total		25,587,456

Air Corps Technical School.
Establishment of branch at Denver, Colo.

SEC. 2. The Secretary of War is hereby authorized to establish in or near Denver, Colorado, a branch of the Air Corps Technical School at Chanute Field, Illinois, and to accept on behalf of the United States, free from encumbrance or conditions and without cost to the United States, for use as a site for the extension to such school, the title in fee simple to nine hundred and sixty acres of land, more or less, within and without the city limits of the city of Denver, Colorado, including the property known as the "Agnes (Phipps) Memorial Sanitarium", together with existing buildings and equipment located thereon; and, also, a tract of land, within the State of Colorado, suitable for use as an aerial gunnery and bombing range by the Army Air Corps: *Provided*, That in the event a donor is unable to perfect title to any land tendered as a donation, condemnation of such land is authorized in the name of the United States, and payment of any and all awards for title to such land as is condemned, together with the cost of suit, shall be made by the donor.

Proviso.
Acquisition of site.

Camp Joseph T. Robinson, Ark.
Designation of Camp Pike changed to.

SEC. 3. That the military reservation near Little Rock, Arkansas, now known as Camp Pike, shall be designated, and hereafter be known as "Camp Joseph T. Robinson."

Approved, August 26, 1937.

[CHAPTER 866]

August 28, 1937
[S. 2188]
[Public, No. 395]

AN ACT

To amend section 3 of the Act of June 18, 1934 (48 Stat. 984–988), relating to Indian Lands in Arizona.

Indian lands in Arizona.
48 Stat. 984
25 U. S. C. § 463.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of June 18, 1934 (48 Stat. 984–988), be, and it is hereby, amended to read as follows:

Restoration of lands to tribal ownership.

"SEC. 3. (a) The Secretary of the Interior, if he shall find it to be in the public interest, is hereby authorized to restore to tribal ownership the remaining surplus lands of any Indian reservation heretofore opened, or authorized to be opened, to sale, or any other form of disposal by Presidential proclamation, or by any of the public-land laws of the United States: *Provided, however*, That valid rights or claims of any persons to any lands so withdrawn existing

Provisos.
Existing rights not affected.

on the date of the withdrawal shall not be affected by this Act: *Provided further*, That this section shall not apply to lands within any reclamation project heretofore authorized in any Indian reservation.

Lands in reclamation projects.

"(b) (1) The order of the Department of the Interior signed, dated, and approved by Honorable Ray Lyman Wilbur, as Secretary of the Interior, on October 28, 1932, temporarily withdrawing lands of the Papago Indian Reservation in Arizona from all forms of mineral entry or claim under the public land mining laws, is hereby revoked and rescinded, and the lands of the said Papago Indian Reservation are hereby restored to exploration and location, under the existing mining laws of the United States, in accordance with the express terms and provisions declared and set forth in the Executive orders establishing said Papago Indian Reservation: *Provided*, That damages shall be paid to the superintendent or other officer in charge of the reservation for the credit of the owner thereof, for loss of any improvements on any land located for mining in such a sum as may be determined by the Secretary of the Interior to be the fair and reasonable value of such improvements: *Provided further*, That a yearly rental not to exceed 5 cents per acre shall be paid to the superintendent or other officer in charge of the reservation for deposit in the Treasury of the United States to the credit of the Papago Tribe for loss of the use or occupancy of any land withdrawn by the requirements of mining operations.

Order withdrawing lands from mineral entry, etc., revoked

Provisos.
Payment for loss of improvements

Annual rental

"(2) In the event any person or persons, partnership, corporation, or association desires a mineral patent, according to the mining laws of the United States, he or they shall first pay to the superintendent or other officer in charge of the reservation, for deposit in the Treasury of the United States to the credit of the Papago Tribe, the sum of $1 per acre in lieu of annual rental, as hereinbefore provided, to compensate for the loss of the use or occupancy of the lands withdrawn by the requirements of mining operations; but the sum thus deposited, except for a deduction of rental at the annual rate hereinbefore provided, shall be refunded to the applicant in the event that patent is not acquired: *Provided*, That an applicant for patent shall also pay to the superintendent or other officer in charge of the said reservation for the credit of the owner thereof, damages for the loss of improvements not theretofore paid, in such a sum as may be determined by the Secretary of the Interior to be the fair value thereof.

Mineral patents.
Deposit in lieu of rent for loss of use, etc.

Refund, if patent not acquired.

Proviso.
Payment by applicant for damages for loss of improvements.

"(3) Water reservoirs, charcos, water holes, springs, wells, or any other form of water development by the United States or the Papago Indians shall not be used for mining purposes under the terms of this Act, except under permit from the Secretary of the Interior approved by the Papago Indian Council: *Provided*, That nothing herein shall be construed as interfering with or affecting the validity of the water rights of the Indians of this reservation: *Provided further*, That the appropriation of living water heretofore or hereafter affected by the Papago Indians is hereby recognized and validated subject to all the laws applicable thereto.

Water developments, restriction on use.

Provisos.
Rights of Indians not affected.

Appropriation of living water.

"(4) Nothing herein contained shall restrict the granting or use of permits for easements or rights-of-way; or ingress or egress over the lands for all proper and lawful purposes; and nothing contained herein, except as expressly provided, shall be construed as authority for the Secretary of the Interior, or any other person, to issue or promulgate a rule or regulation in conflict with the Executive order of February 1, 1917, creating the Papago Indian Reservation in Arizona or the Act of February 21, 1931 (46 Stat. 1202)."

Rights-of-way, etc., not restricted.

46 Stat. 1202.

Approved, August 28, 1937.

[CHAPTER 867]

AN ACT

August 28, 1937
[S. 2688]
[Public, No. 396]

To provide for preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on the watersheds of the Rio Grande and Pecos Rivers.

Rio Grande and Pecos Rivers.
Preliminary examinations of watersheds of, for water-flow retardation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on the watersheds, including all tributaries, of the Rio Grande and Pecos Rivers, above the point of their confluence, in the same manner and to the same extent as is provided for those localities named in section 6 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936; the cost thereof to be paid from appropriations heretofore or hereafter made for the purpose of carrying out the provisions of such section.

49 Stat. 1592

Payment of cost.

Approved, August 28, 1937.

[CHAPTER 868]

AN ACT

August 28, 1937
[S. 2774]
[Public, No. 397]

To authorize the Secretary of the Interior to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, the interest in certain land acquired by the United States under the Federal Reclamation Laws.

Blackfeet Indians, Mont.
Relinquishment of lands held for reclamation purposes to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana, the interest acquired by the United States for Federal reclamation purposes in the lands within the exterior boundaries of the present Blackfeet Indian Reservation, that were acquired for Federal reclamation purposes and are determined in the opinion of said Secretary not to be needed for such purposes. Such relinquishment shall be conditioned upon the repayment into the reclamation fund of a sum equal to the amount taken therefrom for the purchase of the lands so relinquished, including the amounts paid for the benefit of allottees where the land acquired for Federal reclamation purposes was allotted land. Upon such relinquishment and payment being made, the title to said lands shall be and remain in the United States in trust for the Indians of the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana: *Provided*, That in making such relinquishments the Secretary may reserve for Federal reclamation purposes such easements and rights as in his opinion may be required for present or future developments under the Federal reclamation laws, and the amount payable into the reclamation fund on account of such relinquishment shall be reduced by the value of the easements and rights so retained for Federal reclamation purposes, such value to be conclusively ascertained by said Secretary: *Provided further*, That no relinquishments herein authorized shall be effective unless approved in writing by the Blackfeet Tribal Council.

Conditions.

Title to be held in trust.

Provisos.
Easements, etc., reserved.

Approval by tribal council.

SEC. 2. The Secretary of the Interior is hereby authorized to expend from any moneys on deposit in the Treasury of the United States to the credit of the Blackfeet Indians not to exceed $30,000 for the purpose of carrying out the purposes of this Act.

Expenditure authorized.

Approved, August 28, 1937.

[CHAPTER 869]

AN ACT

To approve a compact or agreement between the State of Ohio and the Commonwealth of Pennsylvania relating to Pymatuning Lake.

August 28, 1937
[S. 2831]
[Public, No. 398]

Compact between Ohio and Pennsylvania relating to Pymatuning Lake.

Whereas, under date of the 28th day of October 1936, the State of Ohio and the Commonwealth of Pennsylvania entered into a certain compact or agreement in the following words:

"AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF OHIO RE PYMATUNING LAKE

Text of agreement.

"This agreement made and concluded between the Commonwealth of Pennsylvania acting by and through its lawfully authorized agency namely the Water and Power Resources Board as party of the first part and the State of Ohio acting by and through its lawfully authorized agency namely its Director of Conservation as party of the second part.

"Witnesseth

"Whereas By act of Assembly of Pennsylvania approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1503) as amended by the acts approved the fifth day of May one thousand nine hundred and thirty-one (Pamphlet Laws 84) the twenty-fourth day of April one thousand nine hundred and thirty-three (Pamphlet Laws 67) and the ninth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 619) the Department of Forests and Waters of Pennsylvania acting through the Water and Power Resources Board was authorized inter alia to complete the work begun and continued under an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws 1270) entitled 'An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof providing for the taking of land and materials necessary thereto vesting certain powers and duties in the Water Supply Commission and making an appropriation' and did duly complete said work whereby there was created a lake or reservoir now known and hereinafter called Pymatuning Lake extending in part across the boundary line between said States of Ohio and Pennsylvania into the State of Ohio and

"Whereas The primary purposes of the project by which said lake was created was to conserve water draining said swamp all of which has its source in Pennsylvania as well as control floods and regulate the flow of water in the Shenango and Beaver Rivers and secondary thereto permit the water and the land surrounding the same to be used for fishing hunting recreational and park purposes under such terms and conditions as the Water and Power Resources Board might determine in such way or ways as in the opinion if [1] the said board will not materially interfere with the primary purpose in said acts of assembly and hereinbefore specifically referred to and

"Whereas In view of the fact that a certain part of the lake extends into the State of Ohio whereby it is necessary and desirable that the use of the lake for the secondary purposes namely hunting fishing and recreational use be uniformly provided for as well as to guard against inconveniences and mischiefs which might hereafter arise from the uncertainty or [1] jurisdiction within and on said lake to the end that the lake may be adequately

[1] So in original.

policed and conflicts of jurisdiction for the arrest and punishment of offenders be avoided.

"Now then therefore In order that law and justice may in all cases be executed and take effect upon said lake from shore to shore in all parts and places thereof where the lake is a boundary between said states the said parties hereto do agree for and in behalf of their respective states in the manner following

"General Use

General use.

"It is hereby agreed that the entire Pymatuning Lake or Reservoir subject to the primary use thereof by the Commonwealth of Pennsylvania for regulating the flow of the water in the Shenango and Beaver Rivers as in Paragraph 9 hereinafter more specifically mentioned shall be open for recreational use equally to the citizens of both contracting parties save as restricted as to hunting fishing and boating in this agreement set forth or hereafter mutually agreed upon by both parties but no person shall be permitted to hunt or fish thereon unless the lawful holder of a fishing or hunting license authorizing him or her so to do issued by the proper authorities of Pennsylvania or of Ohio.

"2. ARREST AND PROSECUTION OF OFFENDERS

Arrest and prosecution of offenders.

"That each state shall enjoy and exercise a concurrent jurisdiction upon the water (but not upon the dry land between the shores of said lake including the islands therein) with respect to the arrest and prosecution of offenders but in such sort that any boat or vessel fastened to or aground on the shore of either state shall be considered exclusively within the jurisdiction of said state but that all capital and other offenses trespasses or damages committed on or over said lake the judicial investigation and determination thereof shall be exclusively vested in the state wherein the offender or person charged with such offense shall be first apprehended arrested prosecuted or first brought to trial it being the intent of this agreement that an offender may be pursued and arrested anywhere on or over said lake or shores thereof or islands therein regardless of the boundary line by any peace officers or persons of either state authorized to make arrests whether the offenses be committed on or over any part of the lake on the shores or islands therein regardless of the state in which the place where the offense was committed lies.

"3. ISLANDS

Islands.

"All islands within the lake shall be considered as part of the State of Pennsylvania.

"4. POLLUTION OF WATER

Pollution of water.

"The lake shall forever be protected against pollution of its waters by industrial trade waste individual or municipal sewage from shore or boat and the discharge of any noxious or deleterious substance liquid or solid into the waters of the lake which is or may become inimical or injurious to public health or to animal or acquatic [1] life is hereby expressly forbidden.

"No sewage may be discharged into the waters of the lake except after complete treatment and then only upon permit first approved by the Health Departments of both states.

"5. BOATS AND VESSELS

Boats and vessels.

"No power or motor boats nor hydroplanes or aquaplanes shall be permitted anywhere on said lake except such police or administration motor boats to the number which shall be mutually agreed upon by the parties hereto. Sail boats, row boats and canoes shall be permitted provided they first obtain a license from the respective state of which the owner is a resident under such regulations as each party to this agreement may now have or hereafter adopt.

[1] So in original.

"6. FISHING

Fishing.

"Any person possessing a duly issued fishing license by either state shall be permitted to fish anywhere on the entire lake (except such portion thereof as is closed to fishing by Paragraph 8 hereof or such further portion as may hereafter by regulation be mutually agreed to by the parties hereto) but no fisherman shall be entitled to fish from the shores of the state of which he is a nonresident unless he complies with the nonresident fishing license law of said state.

"In order to permit the fish to fully propagate and develop no part of the lake shall be open for fishing until the first day of July one thousand nine hundred and thirty-seven and thereafter shall be closed in each year between the tenth day of December and the thirtieth day of June.

"Until otherwise mutually agreed to by both parties hereto the creel size and season limits for the respective kinds of fish caught shall be such as may hereafter be agreed upon between the two states.

"7. RECIPROCAL HUNTING RIGHTS

Reciprocal hunting rights

"Reciprocal hunting rights are hereby granted to the licensed hunters of each state on the water of that portion of the lake both in Pennsylvania and Ohio over the area bounded on the south by an east and west line crossing the State boundary five-tenth of a mile north of Simons Ohio and on the north by a line drawn between the point at which the Padamaram Road crosses the State boundary and a point formerly known as the Polleck Bridge but such reciprocal hunting rights hereby granted shall extend only to such wild migratory birds as are covered by the Federal Bird Treaty and Federal Laws adopted thereunder.

"Hunting in such portions of the lake as are not included in the area above described and designated shall be and remain under the jurisdiction of the Commonwealth of Pennsylvania.

"No permanent blinds shall be erected anywhere on the lake and shores thereof but this provision shall not be interpreted as forbidding the use of a boat as a blind temporarily moored to or grounded on the shore of the lake or islands thereof.

"8. WILD GAME AND FISH SANCTUARIES

Wild game and fish sanctuaries.

"A. The Game Commission of the State of Pennsylvania having established a wild migratory bird and game sanctuary or refuge in that part of the lake located southeast of the Pennsylvania Railroad Crossing it is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either state whether licensed to fish or hunt, trespass or enter upon said sanctuary for any purpose whatsoever. Anyone so doing shall become amenable to prosecution therefor under the Game Laws of the State of Pennsylvania applicable to game refuges.

"B. The Conservation Division of the Department of Agriculture of the State of Ohio having established a fish sanctuary and game refuge in the following portion of the lake.

"Being the southerly parts of Lots Numbers 79 and 80, Richmond Township all of Lot Number 41 and all of Lot Number 42 except the westerly 1000 feet thereof in Andover Township Ashtabula County Ohio.

"Beginning at a point in the west line of Lot Number 79 that is 1523 feet south of the north line of Lot Number 79 also being the center line of Padanaram Road thence southerly along the County Highway along the westerly side of Lot Number 79 1869.5 feet to the north line of Andover Township thence west-

erly along the northerly line of Andover Township 939.7 feet to the northwest corner of Lot Number 41 thence southerly along the highway that marks the westerly line of Lot Number 42 1000 feet to a point thence of Lot Number 42 thence easterly along the north line of Lot Number 42 1000 feet to a point thence in a southerly direction parallel to and 1000 feet easterly from the westerly line of Lot Number 42 2734 feet more or less to the southerly line of Lot Number 42 thence easterly along the said southerly line of Lot Number 42 5180.4 feet to the Ohio and Pennsylvania State line thence northerly along the said Ohio and Pennsylvania State Line 7297.6 feet more or less to a point that is 1523 feet southerly from the north line of Lot Number 80 thence in a westerly direction 1523 feet southerly from and parallel to the north lines of Lots Numbers 79 and 80 5260 feet more or less to the place of beginning.

"It is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either state whether licensed to fish or otherwise to fish in hunt trespass or enter upon said sanctuary for any purpose whatsoever. Anyone so doing shall become amenable to prosecution therefor under the laws of the State of Ohio applicable thereto.

"9. RESERVATION OF PENNSYLVANIA'S RIGHT TO THE BODY OF THE WATER

Reservation of Pennsylvania's right to the body of the water.

"It is expressly agreed that nothing herein contained shall operate to deny limit or restrict the right of the Water and Power Resources Board of Pennsylvania or any authority established hereafter by said state to exercise such power to at any time now or hereafter raise or draw off so much of the waters of the lake as in their sole judgment may be necessary to maintain or regulate the flow of the Shenango and Beaver Rivers in furtherance of the primary purpose for which said lake was established and said Water and Power Resources Board shall without let or hindrance have the full right irrespective of other considerations to release so much of the water as they may deem proper to maintain the flow of the Shenango and Beaver Rivers irrespective of its effect on the level of the lake or use thereof for other purposes.

"In witness whereof The parties hereto have hereunto set their respective hands and seals by for and under the authority of their respective states this 28th day of October 1936.

"COMMONWEALTH OF PENNSYLVANIA
"by and through
"WATER AND POWER RESOURCES BOARD

"Witness
"By J. F. BOGARDUS "Chairman

"CHAS. E. RYDER
"STATE OF OHIO
"by and through
"CONSERVATION DIVISION

"By L. WOODDELL "Commissioner

"R. P. JOHNSTON
"Approved as to form and manner of execution
"GROVER C. LADNER
"Grover C. Ladner
"Deputy Attorney General
"Commonwealth of Pennsylvania"

and

Whereas the General Assembly of the Commonwealth of Pennsylvania by act approved the 5th day of June 1937 ratified and approved said compact or agreement; and

Whereas the General Assembly of the State of Ohio by act approved the 18th day of May 1937 ratified and approved said compact or agreement: Now, therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the aforesaid compact or agreement be, and the same is hereby, approved pursuant to the provisions of a joint resolution of Congress approved the 8th day of June 1936.

Compact approved. 49 Stat. 1490. 33 U. S. C., Supp. II, § 567a.

Approved, August 28, 1937.

[CHAPTER 870]

AN ACT

To promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes.

August 28, 1937
[S. 2863]
[Public, No. 399]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby recognized that the wastage and inadequate utilization of water resources on farm, grazing, and forest lands in the arid and semiarid areas of the United States resulting from inadequate facilities for water storage and utilization contribute to the destruction of natural resources, injuries to public health and public lands, droughts, periodic floods, crop failures, decline in standards of living, and excessive dependence upon public relief, and thereby menace the national welfare. It is therefore hereby declared to be the policy of Congress to assist in providing facilities for water storage and utilization in the arid and semiarid areas of the United States.

Conservation in arid and semiarid areas.

Policy declared.

SEC. 2. In order to effectuate this policy and promote proper land use in the said areas, the Secretary of Agriculture is hereby authorized, from time to time—

Powers of Secretary of Agriculture.

(1) To formulate and keep current a program of projects for the construction and maintenance in the said areas of ponds, reservoirs, wells, check-dams, pumping installations, and other facilities for water storage or utilization, together with appurtenances to such facilities. The facilities to be included within such program shall be located where they will promote the proper utilization of lands and no such facilities shall be located where they will encourage the cultivation of lands which are submarginal and which should be devoted to other uses in the public interest;

Program of projects for water-storage facilities.

Location of facilities.

(2) To construct and to sell or lease, with or without a money consideration, under such terms and conditions as will advance the purposes of this Act, the facilities mentioned in section 2 (1) and included within the program there provided for, including the lands upon which such facilities are located if they have been acquired or reserved for the purposes of this Act;

Sale or lease.

(3) To cooperate or enter into agreements with, or to furnish financial or other aid to, any agency, governmental or otherwise, or any person, subject to such conditions as he may deem necessary for the purposes of this Act; and

Cooperation, etc., with agencies, etc.

(4) To obtain options upon and to acquire lands, or rights or interests therein, or rights to the use of water, by purchase, lease, gift, exchange, condemnation, or otherwise, only when necessary for the purposes of this Act.

Acquisition of land, interests, etc.

SEC. 3. The facilities included in the program provided for in section 2 (1) may be located—

Location of facilities.

(a) On lands owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof; and

Federal, etc., lands.

Other lands with consent

(b) On any other lands upon obtaining proper consent or the necessary rights or interests in such lands.

Conditions requisite

SEC. 4. As a condition to extending benefits under this Act to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of this Act, require—

Local legislation.

(1) The enactment of State and local laws providing for soil conserving land uses and practices, and the storage, conservation and equitable utilization of waters;

Agreements.

(2) Agreements or covenants in regard to the maintenance and permanent use of such water, facilities, or lands benefited by such facilities;

Contributions

(3) Contributions in money, services, materials, or otherwise to any operations conferring such benefits.

Administrative personnel.

SEC. 5. The Secretary of Agriculture, in administering the provisions of this Act, shall utilize the officers, employees, and facilities of agencies within the Department of Agriculture whose functions are related to the program provided for in this Act, and may allot to such agencies or transfer to such other agencies of the Federal Government as he may request to assist in carrying out any of the provisions of this Act, any funds available for the purposes of this Act.

Other powers.

SEC. 6. For the purposes of this Act, the Secretary of Agriculture may—

Cooperation of governmental agencies.

(1) Secure the cooperation of any governmental agency;

Personal services and expenses

(2) Make expenditures for personal services and rent in the District of Columbia and elsewhere, for the purchase of law books and books of reference, for printing and binding, for the purchase, exchange, operation, and maintenance of passenger-carrying vehicles, for supplies and equipment, for traveling expenses and for other administrative expenses; and

Rules, etc.

(3) Perform such acts, and prescribe such rules and regulations as he may deem proper to carry out the provisions of this Act.

Sums authorized.

SEC. 7. There are hereby authorized to be appropriated for the purposes of this Act such sums as Congress may from time to time determine to be necessary.

Approved, August 28, 1937.

[CHAPTER 871]

AN ACT

August 28, 1937
[H. R. 1481]
[Public, No. 400]

To amend the Revenue Act of 1926, as amended, to exempt persons traveling between Puerto Rico and the continental United States from the payment of a stamp tax on steamship tickets.

Revenue Act of 1926, amendment.
Tax exemption on steamship tickets to Puerto Rico.
44 Stat. 103; 45 Stat. 867.
26 U. S. C. § 905.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subdivision 5 of schedule A of title VIII of the Revenue Act of 1926, as amended by section 442 (a) of the Revenue Act of May 29, 1928, be, and hereby is, amended by striking out the word "or" before the word "Cuba" and by adding the words "or Puerto Rico" after the word "Cuba".

Approved, August 28, 1937.

[CHAPTER 872]

AN ACT

August 28, 1937
[H. R. 3058]
[Public, No. 401]

For the relief of former employees of the Federal Subsistence Homesteads Corporations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the case of any person who was employed by any corporation, all of the stock of which was owned by the Federal Subsistence Homesteads Corporation of Delaware, and who was transferred to a position in the Department of the Interior with the same or substantially similar duties but at an increase in his rate of compensation, if there have been heretofore withheld or deducted from any amounts, otherwise payable to such person out of Government funds, any amount on account of any payment of salary to such person, subsequently disallowed or held to have been illegally made under any decision of the Comptroller General that such transfer to such position in the Department of the Interior constituted an administrative promotion within the provisions of section 7, as amended and extended, of the Treasury-Post Office Appropriation Act, fiscal year 1934, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such person a sum equal to the amount so withheld or deducted.

Federal Subsistence Homesteads Corporation.
Former employees transferred to Interior Department; salary adjustment.

47 Stat. 1515.

SEC. 2. Each person referred to in section 1, and each disbursing officer who made any payments of salary referred to in such section to any such person, is hereby released from any liability to refund or pay to the Government, or otherwise discharge, any amount on account of any such payment of salary to such person, subsequently disallowed or held to have been illegally made under any decision of the Comptroller General that the transfer of such person to such position in the Department of the Interior constituted an administrative promotion within the provisions of section 7, as amended and extended, of the Treasury-Post Office Appropriation Act, fiscal year 1934, and no deduction shall be made from any amount due or payable out of Government funds to any such person or disbursing officer by reason of any such decision.

Release of liability.

Approved, August 28, 1937.

[CHAPTER 873]

AN ACT

August 28, 1937
[H. R. 5594]
[Public, No. 402]

To make available for national-park purposes certain lands within the area of the proposed Mammoth Cave National Park, Kentucky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all lands purchased from funds heretofore allocated and made available by Executive order, or otherwise, for the acquisition of lands for conservation or forestation purposes within the maximum boundaries of the Mammoth Cave National Park as authorized by the Act of May 25, 1926 (44 Stat. 635), be, and the same are hereby, made a part of the said park as fully as if originally acquired for that purpose and the proviso at the end of section 1 of said Act of May 25, 1926, shall not be construed so as to prohibit the acquisition of lands in said area under funds made available as aforesaid.

Mammoth Cave National Park, Ky.
Certain lands added.

44 Stat. 635.
16 U. S. C. § 404.

Acquisition other than by donation.

SEC. 2. The Secretary of the Interior is hereby authorized, in his discretion, to exclude the Great Onyx Cave and the Crystal Cave, or either of them, from the maximum boundaries of the said park, and the area required for general development of the said park by section 1 of the Act of May 14, 1934 (48 Stat. 775), is hereby modified accordingly.

Exclusion of certain caves authorized.

48 Stat. 775.
16 U. S. C. § 404b.

Approved, August 28, 1937.

[CHAPTER 874]

AN ACT

August 28, 1937
[H. R. 5976]
[Public, No. 403]

Authorizing the establishment of a revolving loan fund for the Klamath Indians, Oregon, and for other purposes.

Klamath Indians, Oreg.
Capital reserve fund created out of tribal moneys for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall cause to be established on the books of the Treasury, out of any unobligated tribal funds of the Indians of the Klamath Reservation in Oregon (hereinafter referred to as the "Klamath Indians") on deposit in the Treasury of the United States, a capital reserve fund for said Klamath Indians. Such fund shall be created by setting aside the sum of $50,000 for the fiscal year 1937, and shall be augmented by additions of $50,000 for each fiscal year thereafter. Such fund shall be held in the Treasury of the United States and shall bear interest as provided by law. The interest upon such fund shall be used, insofar as it is sufficient, for the payment of the expenses of administration of the Klamath Indian Reservation in Oregon.

Annual increments.

Interest; use of.

Reimbursable loan fund established; use of.

SEC. 2. The Secretary of the Interior shall cause to be established on the books of the Treasury, out of any unobligated tribal funds of the Klamath Indians on deposit in the Treasury, a reimbursable loan fund from which loans may be made to enrolled Klamath Indians for industrial and agricultural assistance and the construction and improvement of homes (including the purchase of land and interests in land, building material, farming equipment, industrial equipment, trucks, livestock, feed, food, seed, tools, machinery, implements, household goods, bedding, clothing, or any other equipment or supplies necessary to enable such Indians to fit themselves for or to engage in farming, the livestock industry, or such other industrial or agricultural pursuits or avocations as will enable them to become self-supporting); for the educational advancement of such Indians; for financial assistance in cases of illness, death, or other emergency; for the maintenance and support of the aged, infirm, and incapacitated Klamath Indians; and for the repayment of reimbursable loans previously made to such Indians from tribal funds. For the establishment of such loan fund, the Secretary of the Interior shall immediately set aside the unexpended balance of any funds heretofore appropriated or authorized to be used out of the tribal funds of the Klamath Indians for the establishment of reimbursable loan funds for industrial assistance or for any other purpose; and in addition thereto, out of any unobligated tribal funds, $100,000 shall be set aside for the fiscal year 1938 and $50,000 for each of the next three fiscal years.

Annual additions.

Administration by a loan board.

SEC. 3. The reimbursable loan fund provided for in section 2 hereof shall be administered, under and subject to such rules and regulations as the Secretary of the Interior may prescribe, by a loan board composed of Klamath Indians of not to exceed five members: *Provided*, That in the event any property pledged as security is offered for sale to satisfy any obligation, the Klamath Indians shall have preferential right, except there shall be no discrimination as to terms of sale, to purchase the same: *Provided further*, That the expenses of administering such fund, including such per diem for members of the loan board as may be authorized by the Secretary of the Interior, shall be paid from such loan fund. After the fiscal year 1939 the aforesaid expenses of administration shall not exceed the amount received from service fees, surcharges, and interest paid in on loans.

Provisos.
Sale of pledges.

Operating expenses.

Types of property as security.

SEC. 4. For the purpose of providing adequate security for any loans made from the revolving reimbursable loan fund provided for

in section 2 hereof, the Klamath Indians are hereby authorized to include in the securities offered therefor, in addition to any unrestricted real or personal property owned by them, any lands, interest in lands, rights, funds, future per-capita payments and other distributions of tribal assets, and other property, real, personal, or mixed, of any nature whatsoever, belonging to individual Klamath Indians, heretofore regarded or classed as trust or restricted Indian property.

Credit of repayments.

SEC. 5. All repayments made upon any loans made from the reimbursable loan fund herein provided for, all repayments made upon any loans made from reimbursable loan funds for industrial assistance or for other purposes heretofore established out of Klamath tribal funds, and all interest, surcharges, and service fees paid upon any such loans, shall be credited to the reimbursable loan fund herein provided for and shall become available for the purposes herein authorized.

Limitation.

SEC. 6. The amounts which the Secretary of the Interior shall cause to be added to the capital and loan funds established at his direction under the provisions of sections 1 and 2 of this Act during each fiscal year shall not exceed the amount of unobligated Klamath tribal funds on deposit in the Treasury of the United States available for that purpose.

Approved, August 28, 1937.

[CHAPTER 875]

AN ACT

August 28, 1937
[H. R. 6042]
[Public, No. 404]

Making further provision with respect to the funds of the Metlakahtla Indians of Alaska.

Metlakahtla Indians of Alaska
Deposit of certain revenues as trust funds, authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That revenue derived from leases or other contracts negotiated by the Secretary of the Interior for the benefit of the Metlakahtla Indians and such other persons occupying the Annette Islands Reserve, Alaska, as come within the purview of the Act of March 3, 1891 (26 Stat. 1101), shall be deposited into the Treasury as trust funds pursuant to the provisions of section 20 of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1224), shall bear interest at the rate of 4 per centum per annum, and shall be subject to expenditure under such rules and regulations as the said Secretary may prescribe.

26 Stat. 1101.

48 Stat. 1224.
31 U. S. C. § 725s.
Interest.

Credit of designated funds to trust-fund account.

SEC. 2. There shall be credited to the trust-fund account so established the excess, if any, of (1) the unexpended balance of the repealed special fund appropriation "5S740 Annette Islands Reserve, Alaska, fund from leases" and (2) the amount of receipts derived from the Annette Islands Reserve, Alaska, covered into the Treasury pursuant to section 4 of the Permanent Appropriation Repeal Act, 1934, over expenditures from appropriations provided for "Expenses, Annette Islands Reserve, Alaska (Receipt Limitation)", and the amount so credited shall be subject to expenditure as prescribed in section 1 hereof.

Expenditure

Interest.

SEC. 3. Interest accruing on said trust-fund account shall be available for the same purposes as the principal.

Approved, August 28, 1937.

[CHAPTER 876]

AN ACT

August 28, 1937
[H. R. 7618]
[Public, No. 405]

Relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon.

Revested Oregon-California Railroad, etc., grant lands.
39 Stat. 218; 40 Stat. 1179.
Conservation management of timber lands, etc., under Federal jurisdiction.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provisions in the Acts of June 9, 1916 (39 Stat. 218), and February 26, 1919 (40 Stat. 1179), as amended, such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, shall be managed, except as provided in section 3 hereof, for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal [1] of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilties [1]: *Provided*, That nothing herein shall be construed to interfere with the use and development of power sites as may be authorized by law.

Proviso.
Power sites.

Annual cut pending determination of productive capacity.

The annual productive capacity for such lands shall be determined and declared as promptly as possible after the passage of this Act, but until such determination and declaration are made the average annual cut therefrom shall not exceed one-half billion feet board measure: *Provided*, That timber from said lands in an amount not less than one-half billion feet board measure, or not less than the annual sustained yield capacity when the same has been determined and declared, shall be sold annually, or so much thereof as can be sold at reasonable prices on a normal market.

Proviso.
Sales.

Forest units.

If the Secretary of the Interior determines that such action will facilitate sustained-yield management, he may subdivide such revested lands into sustained-yield forest units, the boundary lines of which shall be so established that a forest unit will provide, insofar as practicable, a permanent source of raw materials for the support of dependent communities and local industries of the region; but until such subdivision is made the land shall be treated as a single unit in applying the principle of sustained yield: *Provided*, That before the boundary lines of such forest units are established, the Department, after published notice thereof, shall hold a hearing thereon in the vicinity of such lands open to the attendance of State and local officers, representatives of dependent industries, residents, and other persons interested in the use of such lands. Due consideration shall be given to established lumbering operations in subdividing such lands when necessary to protect the economic stability of dependent communities. Timber sales from a forest unit shall be limited to the productive capacity of such unit and the Secretary is authorized, in his discretion, to reject any bids which may interfere with the sustained-yield management plan of any unit.

Proviso.
Hearings before establishment of boundaries.

Sales limited to productive capacity.

Cooperative agreements.

SEC. 2. The Secretary of the Interior is authorized, in his discretion, to make cooperative agreements with other Federal or State forest administrative agencies or with private forest owners or operators for the coordinated administration, with respect to time, rate, method of cutting, and sustained yield, of forest units comprising parts of revested or reconveyed lands, together with lands in private ownership or under the administration of other public agencies, when by such agreements he may be aided in accomplishing the purposes hereinbefore mentioned.

[1] So in original.

SEC. 3. The Secretary of the Interior is authorized to classify, either on application or otherwise, and restore to homestead entry, or purchase under the provisions of section 14 of the Act of June 28, 1934 (48 Stat. 1269), any of such revested or reconveyed land which, in his judgment, is more suitable for agricultural use than for afforestation, reforestation, stream-flow protection, recreation, or other public purposes.

Classification, etc., of lands suitable for agricultural purposes. 48 Stat. 1274. 43 U. S. C. § 1171.

Any of said lands heretofore classified as agricultural may be reclassified as timber lands, if found, upon examination, to be more suitable for the production of trees than agricultural use, such reclassified timber lands to be managed for permanent forest production as herein provided.

Reclassification of, as timber lands.

SEC. 4. The Secretary of the Interior is authorized, in his discretion, to lease for grazing any of said revested or reconveyed lands which may be so used without interfering with the production of timber or other purposes of this Act as stated in section 1: *Provided*, That all the moneys received on account of grazing leases shall be covered either into the "Oregon and California land-grant fund" or the "Coos Bay Wagon Road grant fund" in the Treasury as the location of the leased lands shall determine, and be subject to distribution as other moneys in such funds: *Provided further*, That the Secretary is also authorized to formulate rules and regulations for the use, protection, improvement, and rehabilitation of such grazing lands.

Leasing for grazing.

Provisos. Use of receipts.

Rules and regulations.

SEC. 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect. The Secretary of the Interior is further authorized, in formulating forest-practice rules and regulations, to consult with the Oregon State Board of Forestry, representatives of timber owners and operators on or contiguous to said revested and reconveyed lands, and other persons or agencies interested in the use of such lands.

Secretary of the Interior; powers and duties.

Consultation with Oregon State Board of Forestry.

In formulating regulations for the protection of such timberlands against fire, the Secretary is authorized, in his discretion, to consult and advise with Federal, State, and county agencies engaged in forest-fire-protection work, and to make agreements with such agencies for the cooperative administration of fire regulations therein: *Provided*, That rules and regulations for the protection of the revested lands from fire shall conform with the requirements and practices of the State of Oregon insofar as the same are consistent with the interests of the United States.

With other agencies.

Proviso. Fire protection provisions.

TITLE II

Title II.

That on and after March 1, 1938, all moneys deposited in the Treasury of the United States in the special fund designated the "Oregon and California land-grant fund" shall be distributed annually as follows:

Oregon and California land-grant fund.

(a) Fifty per centum to the counties in which the lands revested under the Act of June 9, 1916 (39 Stat. 218), are situated, to be payable on or after June 30, 1938, and each year thereafter to each of said counties in the proportion that the total assessed value of the Oregon and California grant lands in each of said counties for the year 1915 bears to the total assessed value of all of said lands in the State of Oregon for said year, such moneys to be used as other county funds.

Payments to counties. 39 Stat. 218.

Money in lieu of accrued taxes
44 Stat. 915

(b) Twenty-five per centum to said counties as money in lieu of taxes accrued or which shall accrue to them prior to March 1, 1938, under the provisions of the Act of July 13, 1926 (44 Stat. 915), and which taxes are unpaid on said date, such moneys to be paid to said counties severally by the Secretary of the Treasury of the United States, upon certification by the Secretary of the Interior, until such tax indebtedness as shall have accrued prior to March 1, 1938, is extinguished.

Amount to satisfy reimbursable charges against fund.

From and after payment of the above accrued taxes said 25 per centum shall be accredited annually to the general fund in the Treasury of the United States until all reimbursable charges against the Oregon and California land-grant fund owing to the general fund in the Treasury have been paid: *Provided*, That if for any year after the extinguishment of the tax indebtedness accruing to the counties prior to March 1, 1938, under the provisions of Forty-fourth Statutes, page 915, the total amount payable under subsection (a) of this title is less than 78 per centum of the aggregate amount of tax claims which accrued to said counties under said Act for the year 1934, there shall be additionally payable for such year such portion of said 25 per centum (but not in excess of three-fifths of said 25 per centum), as may be necessary to make up the deficiency. When the general fund in the Treasury has been fully reimbursed for the expenditures which were made charges against the Oregon and California land-grant fund said 25 per centum shall be paid annually, on or after June 30, to the several counties in the manner provided in subsection (a) hereof.

Proviso
Paying deficiencies in county payments.
44 Stat. 915

Payments to counties after charges reimbursed.

Amount for administrative purposes; excess covered in.

(c) Twenty-five per centum to be available for the administration of this Act, in such annual amounts as the Congress shall from time to time determine. Any part of such per centum not used for administrative purposes shall be covered into the general fund of the Treasury of the United States: *Provided*, That moneys covered into the Treasury in such manner shall be used to satisfy the reimbursable charges against the Oregon and California land-grant fund mentioned in subsection (b) so long as any such charges shall exist.

Proviso.
Use of moneys covered in.

Conflicting laws repealed.

All Acts or parts of Acts in conflict with this Act are hereby repealed to the extent necessary to give full force and effect to this Act.

Approved, August 28, 1937.

[CHAPTER 877]

August 28, 1937
[H. R. 7646]
[Public, No. 406]

AN ACT

To amend an Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936.

Flood Control Act of 1936, amendments.
49 Stat. 1586.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding a third paragraph reading as follows under the heading "Ohio River Basin" in section 5:

Ohio River Basin.
Levees, floodwalls, and drainage structures.

"Levees, floodwalls, and drainage structures: Construction of levees, floodwalls, and drainage structures for the protection of cities and towns in the Ohio River Basin, the projects to be selected by the Chief of Engineers with the approval of the Secretary of War, in accordance with the report of the Chief of Engineers in House Committee on Flood Control Document Numbered 1, Seventy-fifth Con-

gress, first session, at a cost not to exceed $24,877,000 for construction which is hereby authorized to be appropriated for this purpose: *Provided*, That the protection for Pittsburgh, Pennsylvania, is to be interpreted as applying to the metropolitan district of Pittsburgh: *Provided further*, That the local cooperation required by section 3 is complied with: *Provided further*, That if, after investigation, the President finds that any city or town is, by reason of its financial condition, unable to comply with the requirements of section 3 as to local cooperation, he is hereby authorized to waive such requirements on any individual project not to exceed 50 per centum of the estimated costs of the lands, easements, and rights-of-way: *Provided further*, That any funds appropriated for the fiscal year 1938 to carry out the provisions of the Flood Control Act of June 22, 1936, may be used for plant, material, supervisory, and skilled services necessary in the execution of the projects authorized herein, with relief labor furnished under the provisions of the Emergency Relief Appropriation Act of 1937.

Provisos.
Pittsburgh interpreted as metropolitan district.
Local cooperation requirement.
Waiver, if unable to comply.

Use of relief labor.

Ante, p. 352

SEC. 2. That the Secretary of War is hereby authorized to approve the expenditure of not to exceed $300,000 per year, from any appropriations heretofore or hereafter made for flood control, in removing accumulated snags and other debris and clearing of channels in navigable streams and tributaries thereof when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: *Provided*, That not more than $25,000 shall be expended for this purpose on any single stream in any one year.

Removal of debris, etc.

Proviso.
Restriction.

SEC. 3. That, in order to further the declaration of policy and principles declared in sections 1 and 2 of the Flood Control Act approved June 22, 1936, and to supplement the preliminary examinations and surveys which the Secretary of War has heretofore been authorized and directed to make of waterways with a view to the control of their floods, the Secretary of Agriculture be, and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for run-off and water-flow retardation and soil-erosion prevention on the watersheds of said waterways, the costs thereof to be paid from appropriations heretofore or hereafter made for such purposes.

Surveys for soil-erosion prevention, etc., authorized.
49 Stat. 1570.

SEC. 4. That section 3 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding the following subsection (d):

State, etc., cooperation.
49 Stat. 1571.

"As a condition to the extending of any benefits, in prosecuting measures for run-off and water-flow retardation and soil erosion prevention authorized by Act of Congress pursuant to the policy declared in this Act, to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of such Acts, require—

Conditions to extension of benefits

"(1) The enactment and reasonable safeguards for the enforcement of State and local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for run-off and water-flow retardation and soil-erosion prevention;

Local restrictions for prevention of erosion, etc.

"(2) Agreements or covenants as to the permanent use of such lands; and

Agreements as to permanent use of lands.

"(3) Contributions in money, services, materials, or otherwise to any operations conferring such benefits."

Contributions to operations.

SEC. 5. That section 6 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby

Preliminary flood-control examinations; additions.
49 Stat. 1592.

Preliminary flood-control examinations; additions—Contd.

amended by adding to the list of localities at which preliminary examinations and surveys are authorized to be made the following names:

"Connecticut and Chicopee Rivers.

"Pawtuxet River, Rhode Island.

"Conewango Creek and Davis Brook in Chautauqua County and Cattaraugus County, New York.

"Battenkill, New York.

"Mettawee River, New York.

"Ilion, Steel Creek, New York.

"Delaware River.

"Youghiogheny River watershed above Dawson, Pennsylvania.

"North Branch of Potomac River and its tributaries in the vicinity of Keyser, West Virginia.

"Kissimmee River Valley and its tributaries, Florida.

"Estero River, Imperial River, Corkscrew River (Horse Creek), Gordon River, Rock Creek, Hendry Creek, Mulock Creek, and Six Mile Cypress Slough, all in Florida.

"Quiver River, Mississippi.

"Sunflower River, Mississippi.

"Clarksville, Memphis, and Nashville, Tennessee, with a view to submitting comprehensive plans for flood protection to Congress.

"Dugdemonia Bayou, Louisiana.

"Boeuf River, Catahoula, Franklin, Caldwell, Richland, West Carroll, and Morehouse Parishes, Louisiana.

"Bayou Macon, Franklin, Madison, Richland, East Carroll, and West Carroll Parishes, Louisiana.

"Ouachita River and tributaries, Louisiana.

"San Jacinto River, and its tributaries, in Montgomery, Walker, San Jacinto, Grimes, Waller, Liberty, and Harris Counties, Texas.

"Brazos River and its tributaries, Texas.

"Saline River, Arkansas.

"'The Narrows' on Fourche La Fave River in Scott County, Arkansas.

"Walnut Bayou in Little River County, Arkansas.

"Illinois Bayou, Pope County, Arkansas.

"Big Piney Creek in Pope and Johnson Counties, Arkansas.

"Fourche La Fave River, in Perry, Yell, and Scott Counties, Arkansas.

"Palarm Creek, a tributary of the Arkansas River, in Faulkner and Pulaski Counties, Arkansas.

"Bayou Meto Basin, a tributary of the Arkansas River in the State of Arkansas.

"Sulphur River, Arkansas.

"Poteau River, Arkansas.

"Grand (Neosho) River and its tributaries, Oklahoma, Kansas, Missouri, and Arkansas.

"Platte River in the vicinity of Schuyler, Nebraska.

"Little Osage River, Kansas.

"Yellowstone River, Montana.

"Arkansas River in Sequoyah and Haskell Counties, Oklahoma.

"Sans Bois Creek in Haskell and Latimer Counties, Oklahoma.

"North Canadian River, Oklahoma and Texas.

"South Canadian River, Oklahoma.

"Cimarron River, Oklahoma and Kansas.

"Beaver River, Oklahoma.

"Washita River, Oklahoma.

"Fountaine Que Bouille (Fountain) River and its tributaries, Colorado.

Preliminary flood-control examinations; additions—Contd.

"Cherry Creek and its tributaries, Colorado.

"Mississippi River and tributaries in Memphis and Shelby County, Tennessee.

"Wyaconda River in Clark and Lewis Counties, Missouri.

"South Fabius River in northeast Missouri.

"Chariton River in Schuyler County, Missouri.

"Galena River (Fever River) in Illinois and Wisconsin.

"Floyd River, Iowa.

"Little Sioux River, Iowa.

"Cedar River, Iowa.

"Chariton River, Iowa.

"Iowa River, Iowa.

"Boyer River, Iowa.

"Turkey River, Iowa.

"Nishnabotna River, Iowa.

"Bureau Creek and tributaries, Illinois.

"Illinois River and the Fox River at Ottawa, Illinois.

"Mackinaw River, Illinois.

"Kickapoo River, Wisconsin.

"Gilmore Creek, Winona County, Minnesota.

"Root River, Fillmore, Mower, Olmsted, Winona, and Houston Counties, Minnesota.

"Zumbro River and the Whitewater River in southeastern Minnesota.

"White River, South Dakota.

"Keyapaha River, South Dakota.

"Bad River from Philip to Fort Pierre, South Dakota.

"Flathead River and tributaries in Flathead County, Montana.

"Kiskiminitas River, Pennsylvania.

"Kiskiminitas and Conemaugh Rivers and their tributaries, Pennsylvania.

"Tygart River and tributaries in the vicinity of Elkins, West Virginia.

"Buckhannon River and Middle Fork River and their tributaries in the vicinity of Buckhannon, West Virginia.

"Cumberland River and its tributaries in the vicinity of Nashville, Tennessee.

"Cumberland River and its tributaries in the vicinity of Clarksville, Tennessee.

"Girtys Run, in Allegheny County, Pennsylvania.

"Clinton River, Michigan.

"Scioto and Sandusky Rivers and their tributaries, Ohio.

"Mill Creek Valley in Cincinnati, Ohio.

"Bill Williams River, Arizona.

"Big Sandy River, in Arizona, from the junction of Trout Creek and Knight Creek on the north to the Bill Williams River on the south.

"Gila River, in Arizona, from Gillespie Dam downstream to a point near Wellton.

"Little Colorado River and its tributaries upstream from the boundary of the Navajo Indian Reservation in Arizona.

"Santa Ana River and tributaries, California.

"Santa Ana River and Banning Canyon in counties of San Bernardino and Riverside, California.

"Mojave River, in the county of San Bernardino, California.

"Lytle Creek, Waterman Canyon, in the county of San Bernardino, California.

"San Jacinto River and Bautiste Creek in the county of Riverside, California.

Preliminary flood-control examinations; additions—Contd.

"Santa Clara River, California.
"Salinas River, California.
"Cucamonga Creek, Deer Creek, San Antonio Creek, and Chino Creek, California.
"Arroyo Grande Creek in the county of San Luis Obispo, California.
"Whitewater River, California.
"Alameda and San Lorenzo Creeks and their tributaries, California.
"Pajaro River, California.
"Russian River, California.
"Santa Maria River, California.
"Ventura River, Ventura County, California.
"Willow Creek, Oregon.
"Nestucca River and its tributaries, Oregon.
"Chetco River and tributaries, Oregon.
"Smith River and tributaries, Oregon.
"Alsea River and tributaries, Oregon.
"Clatskanie River and tributaries, Oregon.
"Sandy River and tributaries, Oregon.
"Deschutes River and tributaries, Oregon.
"Klamath River and tributaries, Oregon.
"Malheur River and tributaries, Oregon.
"Owyhee River and tributaries, Oregon.
"Burnt River and tributaries, Oregon.
"Powder River and tributaries, Oregon.
"Grande Ronde River and tributaries, Oregon.
"Whatcom Creek at Bellingham, Washington.
"North and South Forks of the Skagit River from Mount Vernon to Skagit Bay, Washington.
"Lowell Creek, Alaska.
"Skagway River in the vicinity of Skagway, Alaska."

Yazoo River project, modification. 49 Stat. 1509.

SEC. 6. That the Chief of Engineers may, in his discretion, modify the project for the control of floods on the Yazoo River, as authorized by Public Act Numbered 678, approved June 15, 1936, to substitute therefor a combined reservoir floodway and levee plan: *Provided*, That the total cost thereof does not exceed the present authorization as estimated in House Committee on Flood Control Document Numbered 1, Seventy-fourth Congress, first session: *Provided further*, That the modified project shall be subject to the following conditions of local cooperation:

Provisos. Cost not to exceed authorization.

Conditions of local cooperation specified.

No work shall be undertaken until the States or other qualified agencies have furnished satisfactory assurances that they will—

(a) undertake, without cost to the United States, all alterations of highways made necessary because of the construction of reservoirs and meet all damages because of such highway alterations; and

(b) furnish, without cost to the United States, all lands and easements necessary to the construction of levees and drainage ditches.

Bank protection, etc. Willamette River; tributaries added. 49 Stat. 1591.

SEC. 7. That section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding the words "and tributaries," after the words "Willamette River," in the paragraph entitled "WILLAMETTE RIVER".

Johnstown, Pa., flood protection. 49 Stat. 1570. *Ante*, p. 95.

SEC. 8. That the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, as amended by Act of Congress approved April 27, 1937, is hereby further amended to provide that, if, in the execution of the project for a reservoir system for the protection of Pittsburgh, it is found that geological and engineering conditions make it impracticable to construct a reservoir to

provide protection for the city of Johnstown, Pennsylvania, flood protection shall be provided for said city by channel enlargement or other works: *Provided*, That the total estimated construction cost of the entire project shall not be increased.

Proviso. Cost limitation.

SEC. 9. That section 5 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 22, 1936, is hereby amended by adding a third paragraph reading as follows, under the heading "Mississippi River":

Mississippi River. 49 Stat. 1575.

"Memphis, Tennessee: The construction of floodwalls, levees, and revetments along Wolf River and Nonconnah Creek for the protection of Memphis, Tennessee, in accordance with the report on record in the office of the Chief of Engineers. Estimated construction cost, $9,000,000. Estimated cost of lands and damages, $4,324,000."

Memphis, Tenn., flood protection.

Approved, August 28, 1937.

[CHAPTER 878]

AN ACT

To extend the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico.

August 28, 1937
[H. R. 7908]
[Public, No. 407]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 21 of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935, and known as the Bankhead-Jones Act, be, and the same are hereby, extended to Puerto Rico in such amounts as are hereinafter authorized without diminution of the amounts authorized for payment to the States and the Territory of Hawaii, as provided in section 21 of that Act.

Puerto Rico. Cooperative State agricultural extension work extended to. 49 Stat. 438. 7 U. S. C., Supp. II, § 343c.

SEC. 2. To carry into effect the above provisions for extending to Puerto Rico, to the extent herein provided, the benefits of the said Bankhead-Jones Act, the following sums are hereby authorized to be appropriated: For the fiscal year beginning after the date of the enactment of this Act, $88,000; for the fiscal year following the first fiscal year for which an appropriation is made in pursuance of the foregoing authorization, the additional sum of $40,000; and for each succeeding fiscal year thereafter an additional sum of $40,000 until the total appropriations authorized by this section shall amount to $408,000 annually, the authorization to continue in that amount for each succeeding fiscal year.

Amounts authorized.

Approved, August 28, 1937.

[CHAPTER 888]

AN ACT

To provide for the addition of certain lands to the Fort Donelson National Military Park in the State of Tennessee, and for other purposes.

August 30, 1937
[S. 2026]
[Public, No. 408]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described tracts or parcels of land, lying and being within the seventh civil district of Stewart County, Tennessee, are hereby transferred from the jurisdiction of the Secretary of War to the jurisdiction of the Secretary of the Interior as additions to the Fort Donelson National Military Park, and shall hereafter be subject to all laws and rules and regulations applicable to said park:

Fort Donelson National Military Park, Tenn. Certain lands added.

Tract numbered 1, a right-of-way, fifty feet wide, lying twenty-five feet on each side of a center line, beginning at a point in the southerly

Description.

boundary line of lock D reservation, seven hundred and thirty-four and eight-tenths feet from the southwest corner of this reservation; thence south thirty-one degrees five minutes west seventy-seven and one-tenth feet, thence south eighty-six degrees twenty-one minutes west four hundred and seventy-nine and nine-tenths feet, thence south sixty-three degrees fifty-three minutes west two hundred and sixty-two and three-tenths feet, thence south thirty-nine degrees thirty-six minutes west one hundred and eighty-six and seven-tenths feet, thence south exactly forty minutes east exactly one hundred and ninety-four feet, thence south thirty degrees fifty-eight minutes east three hundred and fourteen and five-tenths feet, thence south twenty-eight degrees fifteen minutes east exactly eighty-five feet, thence south twenty-eight degrees thirty-seven minutes east two hundred and fifty and five-tenths feet, thence south four degrees six minutes east two hundred and sixty-one and seven-tenths feet, thence south thirty-six degrees twenty-seven minutes east two hundred and eighty-two and three-tenths feet, thence south twenty-three degrees forty-five minutes east one hundred and seventy-eight and three-tenths feet to center line of county road, reserving, however, to the War Department the right to the continued use of the road over this tract as a means of access to lock D.

Tract numbered 2, beginning at a point in the southern boundary line of lock D reservation, seven hundred and fifty-three and five-tenths feet from the southwest corner of this reservation, thence north seventy-four degrees twenty-eight minutes east one hundred and ninety-one and ninety-eight one-hundredths feet, thence south eighty-five degrees twelve minutes east fifty-two and nine-tenths feet, thence south fifty-one degrees thirty-six minutes east thirty-two and nine-tenths feet, thence south nine degrees thirty-three minutes east one hundred and seventeen and two one-hundredths feet, thence south thirty-one degrees three minutes west sixty-nine and eighty-two one-hundredths feet, thence north fifty-eight degrees fifty-seven minutes west two hundred and eighty-eight and eight one-hundredths feet to beginning.

Tract numbered 3, beginning at a point in the southern boundary line of lock D reservation, five hundred and ninety feet from the southwest corner of this reservation, this point being marked by an iron fence post, thence north fifty-eight degrees fifty-seven minutes west five hundred and ninety feet along the southern boundary line of lock D reservation, thence north thirty-one degrees three minutes east four hundred and eighty-eight feet along the western boundary line of the lock D reservation to low-water mark on bank of Cumberland River, thence along low-water line of Cumberland River in a southeasterly direction three hundred and thirty-five feet, thence south thirty-four degrees five minutes west one hundred and twenty-three feet to an iron pin, thence south fifty-five degrees fifty-five minutes east three hundred and seven and five-tenths feet to an iron pin, thence south forty degrees five minutes west three hundred and ten and five-tenths feet to beginning.

Acceptance of donations, etc.

SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within a distance of one mile from the boundaries of said Fort Donelson National Military Park, as hereby extended, and donations of funds for the purchase or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, by purchase at prices deemed by him reasonable or by condemnation, such tracts of land within a distance of one mile from the boundaries of the said national military park as may be necessary for the completion thereof. Upon

Proviso. Acquisition of land.

the acquisition of such land, the same shall become a part of the Fort Donelson National Military Park and shall be subject to the laws and rules and regulations applicable to said park.

Administration, etc.

SEC. 3. The administration, protection, and development of the lands hereby authorized to be added to the Fort Donelson National Military Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended.

39 Stat. 535.
16 U. S. C. § 1.

Approved, August 30, 1937.

[CHAPTER 889]

AN ACT

August 30, 1937
[S. 2705]
[Public, No. 409]

To provide for the taking of a census of partial employment, unemployment, and occupations, and for other purposes.

Unemployment, etc., census.
Taking of, directed on or before April 1, 1938.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to provide information concerning the numbers, classes, and geographical distribution of persons in the United States partially employed and unemployed and their dependents and income, and concerning industries and occupations of partially employed and unemployed persons to aid in the formulation of a program for reemployment, social security, and unemployment relief for the people of the United States, the President shall cause to be taken on or before April 1, 1938, a census of partial and total unemployment, and occupations, and including such other related information as shall be deemed in the public interest in the forty-eight States and the District of Columbia and the Territories of Hawaii and Alaska.

Questions to be included.
Determination by committee.

(a) The questions to be included in this census and the detailed information to be enumerated shall be determined upon by a committee consisting of the Secretary of Commerce, the Secretary of Labor, the Works Progress Administrator, the Chairman of the Social Security Board, the Chairman of the Central Statistical Board, and the Director of the Census, or their authorized representatives.

Provisions of existing law to govern taking.
46 Stat. 21.
13 U. S. C., ch. 4.

SEC. 2. The provisions, including penalties, of the Act approved June 18, 1929 (46 Stat. 21; U. S. C., Supp. VII, title 13, ch. 4), except sections 9 to 11, inclusive, thereof, shall, so far as not inapplicable, apply to the taking of the census provided for in section 1 of this Act: *Provided, however*, That temporary personnel required to carry out the purposes of this Act shall be appointed without regard to the Classification Act of 1923: *Provided further*, That the administering agency is authorized to call upon the other departments or agencies of the Federal Government for information relating to, and for assistance in connection with the census herein provided for; and the administering agency is authorized to cooperate with and to use the information secured by such State and local agencies as may have data pertinent to this census.

Provisos.
Temporary personnel.

Assistance by Federal agencies.

Funds for expenses.
Ante, p. 352.

SEC. 3. To meet the expenses of this Act the Secretary of the Treasury is authorized to make available from the Emergency Relief Appropriation Act of 1937 such an amount as the President may determine to be necessary.

Rules and existing provisions.
32 Stat. 51.
13 U. S. C. § 1.

SEC. 4. The President is authorized to make such rules and regulations as are necessary to carry out the provisions of this Act and such provisions of the Census Act of 1902, as amended, as are applicable.

Approved, August 30, 1937.

[CHAPTER 890]

AN ACT

August 31, 1937
[H. R. 7649]
[Public, No. 410]

Relating to certain lands within the boundaries of the Crow Reservation, Montana.

Crow Indian Reservation, Mont.
Certain land eliminated from.
Description.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of that area within the Crow Indian Reservation, Montana, described as: "Beginning at the northwest corner of lot eleven, section 3; thence east along the north boundary line of the Crow Indian Reservation to the west meander line of the Big Horn River; thence southeasterly along the west meander line of the said Big Horn River to its intersection with the north and south center line of section twelve; thence south along the said center line of sections twelve and thirteen to the center of section thirteen; thence west to the northwest corner of the northeast quarter of the southwest quarter of said section thirteen; thence south to the southeast corner of the northwest quarter of the northwest quarter of section twenty-five; thence west to the northwest corner of lot two, section twenty-seven; thence north along the boundary line of the Crow Indian Reservation to the point of beginning, all in township 1 south, range 33 east, principal meridian, Montana, be, and the same is hereby, eliminated and excluded from the Crow Indian Reservation in the State of Montana.

Indian liquor laws not affected.

SEC. 2. Nothing contained in this Act shall be construed to discontinue or repeal the provisions of the Indian liquor laws which prohibit the sale, gift, barter, exchange, or other disposition of beer, wine, and other liquors to Indians of the classes set forth in the Act of January 30, 1897 (29 Stat. L. 506; U. S. C., title 25, sec. 241).

29 Stat. 506.
25 U. S. C. § 241.

Conflicting laws repealed.

SEC. 3. All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved, August 31, 1937.

[CHAPTER 891]

JOINT RESOLUTION

August 31, 1937
[S. J. Res. 162]
[Pub. Res., No. 74]

To permit the States of Maryland, Virginia, West Virginia, Pennsylvania, and the District of Columbia to enter into a compact or agreement respecting the creation of a Potomac Valley conservancy district for the prevention or abatement of harmful pollution of the waters thereof.

Potomac Valley conservancy district.
Consent given to certain States to enter into a compact respecting creation of.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Maryland, Virginia, West Virginia, Pennsylvania, and the District of Columbia to negotiate and enter into a compact or agreement providing for the creation of a conservancy district to consist of the drainage area of the Potomac River and the main and tributary streams therein, said district to be organized and maintained for the purpose of regulating, controlling, preventing, or otherwise rendering unobjectionable and harmless the pollution of the waters of said Potomac drainage area by sewage and industrial and other wastes, upon conditions that a suitable person shall be appointed by the President of the United States from the Department of the Treasury who shall participate in said negotiation as representative of the United States, and shall make a report to Congress of the proceedings of any compact or agreement entered thereto: *Provided*, That any such compact or agreement shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been approved by the legislatures of each of said States and by the Congress of the United States.

Proviso.
Approval required.

Approved, August 31, 1937.

[CHAPTER 895]

AN ACT

September 1, 1937
[S. 1567]
[Public, No. 411]

Authorizing the conservation, production, exploitation, and sale of helium gas, a mineral resource pertaining to the national defense and to the development of commercial aeronautics, authorizing the acquisition, by purchase or otherwise, by the United States of properties for the production of helium gas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes", approved March 3, 1925, as amended, is amended to read as follows:

Helium gas.
43 Stat. 1110.
50 U. S. C. §§ 161-166.

"SECTION 1. That for the purpose of conserving, producing, and selling helium gas the Secretary of the Interior, through the Bureau of Mines is authorized:

Powers of Secretary of the Interior.

"(a) To acquire by purchase, lease, or condemnation, lands or interests therein or options thereon, including but not limited to sites, rights-of-way, and oil or gas leases containing obligations to pay rental in advance or damages arising out of the use and operation of such properties; but such lands or interests in lands may be acquired by condemnation only when necessary for the production or conservation of helium to meet the needs of the Army and Navy and other agencies of the Federal Government;

Acquisition of lands or interests, etc.

"(b) To make contracts and agreements (with optional provisions where necessary) for the acquisition, processing, or conservation of helium-bearing gas;

Contracts and agreements.

"(c) To construct or acquire plants, wells, pipe lines, compressor stations, camp buildings, and other facilities, for the production, storage, repurification, transportation, and sale of helium and helium-bearing gas; and to acquire patents or rights therein and reports of experimentation and research used in connection with the properties acquired or useful in the Government's helium operations;

Construction, etc., of plants and other facilities for production of.

Patents, reports, etc.

"(d) To dispose by lease or sale of wells, lands, or interests therein, not valuable for helium production; to dispose of oil, gas, and byproducts of helium operations not needed for Government use; and to issue leases to the surface of lands or structures thereon for grazing or other purposes when the same may be done without interfering with the production of helium.

Disposal of wells, etc.
Oil, gas, and by-products not needed.

Surface leases for grazing.

"The Secretary of the Interior is hereby directed, if possible under the terms hereof, to acquire by purchase all properties developed or constructed by private parties prior to the passage of this Act for helium production, such purchase to be at a price or prices recommended to be fair and reasonable by at least two of a board of three appraisers, the members of which shall be selected as follows: One by the Secretary of the Interior, one by the owner of the properties sought to be acquired, and one by the two appraisers so selected. The Secretary of the Interior is authorized to incur obligations and enter into agreements for the purchase of such properties, and every such agreement shall be deemed a contractual obligation of the Government for the payment of the cost thereof, such payment to be made from any appropriations hereafter made for such purpose. Prior to the date of execution of an agreement or agreements for the purchase of such properties, the Government shall not sell helium as authorized in section 3 (b) of this Act: *Provided*, That the foregoing restriction upon the sale of helium by the Government shall be inoperative in the event that (1) the owner of any such properties shall refuse or neglect to appoint an appraiser within thirty days after

Acquisition of existing private-production properties.

Price.

Obligations and agreements.

Sale prior to agreement, restriction.

Proviso.
Refusal or failure of owner to appoint appraiser.

Refusal to execute sale agreement.

approval of this amendatory Act, or (2) the owner of any such properties having so appointed an appraiser shall refuse or neglect to execute an agreement or agreements for the sale thereof, at the price recommended by at least two members of the board of appraisers, within thirty days after said appraisers shall have recommended such price.

Reservation of known helium-bearing land not covered by leases.
41 Stat. 437.

"Any known helium-gas-bearing land on the public domain not covered at the time by leases or permits under the Act of February 25, 1920, entitled 'An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain', as amended, may be reserved for the purposes of this Act, and the United States reserves the ownership and the right to extract, under such rules and regulations as shall be prescribed by the Secretary of the Interior, helium from all gas produced from lands so permitted, leased, or otherwise granted for development: *Provided*, That in the extraction of helium from gas produced from such lands, it shall be so extracted as to cause no substantial delay in the delivery of gas produced from the well to the purchaser thereof.

Proviso.
Extraction provisions.

Maintenance and operation of plants

"SEC. 2. That the Bureau of Mines, acting under the direction of the Secretary of the Interior, is authorized to maintain and operate helium production and repurification plants together with facilities and accessories thereto; to store and care for helium, to conduct exploration for and production of helium on and from the lands acquired, leased, or reserved; and to conduct experimentation and research for the purpose of discovering helium supplies and improving processes and methods of helium production, repurification, storage, and utilization.

Experimentation and research.

Requisition of helium by Army and Navy, etc.

"SEC. 3. (a) That the Army and Navy and other agencies of the Federal Government may requisition helium from the Bureau of Mines and make payments therefor from any applicable appropriations by advancing or repaying to and for the use of said Bureau proportionate shares of the expenses incident to the administration, operation, and maintenance of the Government's helium plants and properties.

Production and sale.

"(b) That helium not needed for Government use may be produced and sold upon payment in advance in quantities and under regulations approved by the President, for medical, scientific, and commercial use, except that helium may be sold for the inflation of only such airships as operate in or between the United States and its Territories and possessions, or between the United States or its territories and possessions and foreign countries: *Provided*, That no helium shall be sold for the inflation of any airship operating between two foreign countries notwithstanding such airship may also touch at some point in the United States: *Provided further*, That such sales of helium shall be at reasonable prices (established by said regulations) based upon the cost of acquiring, developing, maintaining, and operating the Government properties and the payment of interest at a rate of not less than 3½ per centum per annum on capital hereafter expended (except from the special fund established in subsection (c) of section 3 of this Act) for properties, facilities, and helium-bearing gas lands, as are used for such helium production: *Provided further*, That notwithstanding the foregoing provision helium shall be sold for medicinal purposes at prices which will permit its general use therefor; and such sales of helium shall be upon condition that the Federal Government shall have a right to repurchase helium so sold that has not been lost or dissipated, when needed for Government use, under terms and at prices established by said regulations.

Inflation of airships.

Provisos.
Restrictions.

Price determination.

Sale for medicinal purposes.

Repurchase.

"(c) All moneys received under this Act, including moneys from sale of helium or other products resulting from helium operations (except moneys received in payment for helium from Government departments or agencies under subsection (a) hereof), shall be credited to a special helium-production fund from which purchasers of helium may be reimbursed for payments for helium in excess of deliveries, and the Secretary of the Interior through the Bureau of Mines may draw on said fund to pay expenses of acquiring, administering, operating, maintaining, and developing helium properties. Amounts accumulating in said fund in excess of amounts the Secretary of the Interior deems necessary to assure payment of such expenses shall be deposited in the Treasury to the credit of miscellaneous receipts: *Provided*, That the Secretary of the Interior shall render to Congress on or before the 1st day of January of each year a report showing the amount of moneys credited to such helium-production fund and the amount of disbursements made therefrom during the preceding fiscal year, and the unexpended and unobligated balances on hand in such fund as of the end of such fiscal year.

Moneys received credited to special fund; use of.

Payments in excess of deliveries

Expenses of acquisition, operation, etc.

Excess covered in.

Proviso
Report to Congress.

"SEC. 4. No helium gas shall be exported from the United States, or from its Territories and possessions, until after application has been made to the Secretary of State and a license authorizing said exportation has been obtained from him on the joint recommendation of all of the members of the National Munitions Control Board and the Secretary of the Interior: *Provided*, That under regulations governing exportation of helium approved by the National Munitions Control Board and the Secretary of the Interior, export shipments of quantities of helium that are not of military importance as defined in said regulations, and which do not exceed a maximum to be specified therein, may be made under license granted by the Secretary of State without such specific recommendation. Such regulations shall not permit accumulations of helium in quantities of military importance in any foreign country, nor the exportation of helium to countries named in proclamations of the President issued pursuant to section 1 (a) or (c) of the Neutrality Act of May 1, 1937 (Public Resolution Numbered 27 of the Seventy-fifth Congress) while such proclamations are in effect, and shall require exporters to submit a sworn statement to the Secretary of State showing the quantity, destination, consignee, and intended use of each proposed exportation.

Exports; restriction.

Proviso.
Shipments not of military importance.

Accumulations.

Exportation to countries named in proclamations under Neutrality Act.
Ante, p. 121.

"Any person violating any of the provisions of this section or of the regulations made pursuant hereto, shall be guilty of a misdemeanor and shall be punished by a fine of not more than $5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment; and the Federal courts of the United States are hereby granted jurisdiction to try and determine all questions arising under this section.

Penal provisions.

"The National Munitions Control Board shall include in its Annual Report to the Congress full information concerning the licenses issued hereunder, together with such information and data collected by the Board as may be considered of value in the determination of questions related to the exportation of helium gas.

National Munitions Control Board.
Information to be included in annual reports.

"SEC. 5. The Secretary of War and the Secretary of the Navy may each designate representatives to cooperate with the Department of the Interior in carrying out the purposes of this Act, and shall have complete right of access to plants, data, and accounts."

Cooperation by War and Navy Departments.

Approved, September 1, 1937.

[CHAPTER 896]

AN ACT

September 1, 1937
[S. 1685]
[Public, No. 412]

To provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the eradication of slums, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority, and for other purposes.

United States Housing Act of 1937.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

Declaration of policy

SECTION 1. It is hereby declared to be the policy of the United States to promote the general welfare of the Nation by employing its funds and credit, as provided in this Act, to assist the several States and their political subdivisions to alleviate present and recurring unemployment and to remedy the unsafe and insanitary housing conditions and the acute shortage of decent, safe, and sanitary dwellings for families of low income, in rural or urban communities, that are injurious to the health, safety, and morals of the citizens of the Nation.

Definitions

DEFINITIONS

SEC. 2. When used in this Act—

"Low-rent housing"

(1) The term "low-rent housing" means decent, safe, and sanitary dwellings within the financial reach of families of low income, and developed and administered to promote serviceability, efficiency, economy, and stability, and embraces all necessary appurtenances thereto. The dwellings in low-rent housing as defined in this Act shall be available solely for families whose net income at the time of admission does not exceed five [1] times the rental (including the value or cost to them of heat, light, water, and cooking fuel) of the dwellings to be furnished such families, except that in the case of families with three or more minor dependents, such ratio shall not exceed six to one.

"Families of low income"

(2) The term "families of low income" means families who are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings for their use.

"Slum."

(3) The term "slum" means any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitation facilities, or any combination of these factors, are detrimental to safety, health, or morals.

"Slum clearance."

(4) The term "slum clearance" means the demolition and removal of buildings from any slum area.

"Development"

(5) The term "development" means any or all undertakings necessary for planning, financing (including payment of carrying charges), land acquisition, demolition, construction, or equipment, in connection with a low-rent-housing or slum-clearance project, but not beyond the point of physical completion. Construction activity in connection with a low-rent-housing project may be confined to the reconstruction, remodeling, or repair of existing buildings.

"Administration."

(6) The term "administration" means any or all undertakings necessary for management, operation, maintenance, or financing, in connection with a low-rent-housing or slum-clearance project, subsequent to physical completion.

[1] So in original.

(7) The term "Federal project" means any project owned or administered by the Authority. "Federal project."

(8) The term "acquisition cost" means the amount prudently required to be expended by a public housing agency in acquiring a low-rent-housing or slum-clearance project. "Acquisition cost."

(9) The term "non-dwelling facilities" shall include site development, improvements and facilities located outside building walls (including streets, sidewalks, and sanitary, utility, and other facilities). "Non-dwelling facilities."

(10) The term "going Federal rate of interest" means, at any time, the annual rate of interest specified in the then most recently issued bonds of the Federal Government having a maturity of ten years or more. "Going Federal rate of interest."

(11) The term "public housing agency" means any State, county, municipality, or other governmental entity or public body (excluding the Authority), which is authorized to engage in the development or administration of low-rent housing or slum clearance. "Public housing agency."

(12) The term "State" includes the States of the Union, the District of Columbia, and the Territories, dependencies, and possessions of the United States. "State."

(13) The term "Authority" means the United States Housing Authority created by section 3 of this Act. "Authority."

UNITED STATES HOUSING AUTHORITY

United States Housing Authority.

SEC. 3. (a) There is hereby created in the Department of the Interior and under the general supervision of the Secretary thereof a body corporate of perpetual duration to be known as the United States Housing Authority, which shall be an agency and instrumentality of the United States. Corporate agency created.

(b) The powers of the Authority shall be vested in and exercised by an Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate. The Administrator shall serve for a term of five years and shall be removable by the President upon notice and hearing for neglect of duty or malfeasance but for no other cause. Administrator; powers, appointment, etc.

(c) The Administrator shall receive a salary of $10,000 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment. Neither the Administrator nor any officer or employee of the Authority shall participate in any matter affecting his personal interests or the interest of any corporation, partnership, or association in which he is directly or indirectly interested. Salary; engagement in other business.

SEC. 4. (a) The Administrator is authorized, subject to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such employees as may be necessary for the proper performance of the duties of the Authority under this Act; except that without regard to the civil-service laws he may appoint such officers, attorneys and experts, and such employees whose compensation is in excess of $1,980 per annum, as may be necessary to carry out the purposes of this Act. Employees. 5 U. S. C. §§ 661–674.

(b) Appointment to positions made under the provisions of this Act the annual salary of which is in excess of $7,500 per annum shall be subject to confirmation by the Senate. Senate confirmation of certain appointments.

(c) The Administrator may accept and utilize such voluntary and uncompensated services and with the consent of the agency concerned may utilize such officers, employees, equipment, and information of any agency of the Federal, State, or local governments as he finds helpful in the performance of the duties of the Authority. In connec- Voluntary services. Services, etc., of other agencies.

tion with the utilization of such services, the Authority may make reasonable payments for necessary traveling and other expenses.

Transfer of housing or slum-clearance projects to Authority.

(d) The President may at any time in his discretion transfer to the Authority any right, interest, or title held by any department or agency of the Federal Government in any housing or slum-clearance projects (constructed or in process of construction on the date of enactment of this Act), any assets, contracts, records, libraries, research materials, and other property held in connection with any such housing or slum-clearance projects or activities, any unexpended balance of funds allocated to such department or agency for the development, administration, or assistance of any housing or slum-clearance projects or activities, and any employees who have been engaged in work connected with housing or slum clearance. The Authority may continue any or all activities undertaken in connection with projects so transferred, subject to the provisions of this Act.

Funds.

Principal office; branches.

SEC. 5. (a) The principal office of the Authority shall be in the District of Columbia, but it may establish branch offices or agencies in any State, and may exercise any of its powers at any place within the United States. The Authority may, by one or more of its officers or employees or by such agents or agencies as it may designate, conduct hearings or negotiations at any place.

General corporate provisions.

(b) The Authority shall sue and be sued in its own name, and shall be represented in all litigated matters by the Attorney General or such attorney or attorneys as he may designate.

Seal.

(c) The Authority shall have an official seal, which shall be judicially noticed.

Franking privilege.

(d) The Authority shall be granted the free use of the mails in the same manner as the executive departments of the Government.

Tax exemption provision.

(e) The Authority, including but not limited to its franchise, capital, reserves, surplus, loans, income, assets, and property of any kind, shall be exempt from all taxation now or hereafter imposed by the United States or by any State, county, municipality, or local taxing authority. Obligations, including interest thereon, issued by public housing agencies in connection with low-rent-housing or slum-clearance projects, and the income derived by such agencies from such projects, shall be exempt from all taxation now or hereafter imposed by the United States.

Expenditures authorized.

SEC. 6. (a) The Authority may make such expenditures, subject to audit under the general law, for the acquisition and maintenance of adequate administrative agencies, offices, vehicles, furnishings, equipment, supplies, books, periodicals, printing and binding, for attendance at meetings, for any necessary traveling expenses within the United States, its Territories, dependencies, or possessions, and for such other expenses as may from time to time be found necessary for the proper administration of this Act. Such financial transactions of the Authority as the making of loans, annual contributions, and capital grants, and the acquisition, sale, exchange, lease, or other disposition of real and personal property, and vouchers approved by the Administrator in connection with such financial transactions, shall be final and conclusive upon all officers of the Government; except that all such financial transactions of the Authority shall be audited by the General Accounting Office at such times and in such manner as the Comptroller General of the United States may by regulation prescribe.

Contracts and purchases.
R. S. § 3709.
41 U. S. C. § 5.

(b) The provisions of section 3709 of the Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5) shall apply to all contracts of the Authority for services and to all of its purchases of supplies except when the aggregate amount involved is less than $300.

(c) The use of funds made available for the purposes of this Act shall be subject to the provisions of section 2 of title 3 of the Treasury and Post Office Appropriation Act for the fiscal year 1934 (47 Stat. 1489), and to make such provisions effective every contract or agreement of any kind pursuant to this Act shall contain a provision identical to the one prescribed in section 3 of title 3 of such Act.

Articles of American manufacture, etc
47 Stat. 1520.
41 U. S. C. § 10a.

Provision concerning, in contracts
47 Stat. 1520.
41 U. S. C § 10b.

(d) No annual contribution, grant, or loan, and no contract for any annual contribution, grant, or loan, under this Act, shall be undertaken by the Authority except with the approval of the President.

Approval of the President required.

SEC. 7. (a) The Authority may publish and disseminate information pertinent to the various aspects of housing.

Dissemination of information.

(b) In January of each year the Authority shall make an annual report to Congress of its operations and expenses, including loans, contributions, and grants made or contracted for, low-rent-housing and slum-clearance projects undertaken, and the assets and liabilities of the Authority. Such report shall include operating statements of all projects under the jurisdiction of or receiving the assistance of the Authority, including summaries of the incomes of occupants, sizes of families, rentals, and other related information.

Annual report to Congress.

SEC. 8. The Authority may from time to time make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this Act.

Rules and regulations

LOANS FOR LOW-RENT-HOUSING AND SLUM-CLEARANCE PROJECTS

SEC. 9. The Authority may make loans to public-housing agencies to assist the development, acquisition, or administration of low-rent-housing or slum-clearance projects by such agencies. Where capital grants are made pursuant to section 11 the total amount of such loans outstanding on any one project and in which the Authority participates shall not exceed the development or acquisition cost of such project less all such capital grants, but in no event shall said loans exceed 90 per centum of such cost. In the case of annual contributions in assistance of low rentals as provided in section 10 the total of such loans outstanding on any one project and in which the Authority participates shall not exceed 90 per centum of the development or acquisition cost of such project. Such loans shall bear interest at such rate not less than the going Federal rate at the time the loan is made, plus one-half of one per centum, shall be secured in such manner, and shall be repaid within such period not exceeding sixty years, as may be deemed advisable by the Authority.

Loans for low-rent-housing and slum-clearance projects.
Maximum grants.

Annual contributions.

Interest.

ANNUAL CONTRIBUTIONS IN ASSISTANCE OF LOW RENTALS

SEC. 10. (a) The Authority may make annual contributions to public housing agencies to assist in achieving and maintaining the low-rent character of their housing projects. The annual contributions for any such project shall be fixed in uniform amounts, and shall be paid in such amounts over a fixed period of years. No part of such annual contributions by the Authority shall be made available for any project unless and until the State, city, county, or other political subdivision in which such project is situated shall contribute, in the form of cash or tax remissions, general or special, or tax exemptions, at least 20 per centum of the annual contributions herein provided. The Authority shall embody the provisions for such annual contributions in a contract guaranteeing their payment over such fixed period: *Provided*, That no annual contributions shall be made, and the Authority shall enter into no contract guaranteeing

Annual contributions in assistance of low rentals.

Provisions guaranteeing payment.
Proviso.
Elimination of unsafe or insanitary dwellings.

any annual contribution in connection with the development of any low-rent-housing or slum-clearance project involving the construction of new dwellings, unless the project includes the elimination by demolition, condemnation, and effective closing, or the compulsory repair or improvement of unsafe or insanitary dwellings situated in the locality or metropolitan area, substantially equal in number to the number of newly constructed dwellings provided by the project; except that such elimination may, in the discretion of the Authority, be deferred in any locality or metropolitan area where the shortage of decent, safe, or sanitary housing available to families of low income is so acute as to force dangerous overcrowding of such families.

Conditions imposed.

Deferment.

Extent of Federal contributions.

(b) Annual contributions shall be strictly limited to the amounts and periods necessary, in the determination of the Authority, to assure the low-rent character of the housing projects involved. Toward this end the Authority may prescribe regulations fixing the maximum contributions available under different circumstances, giving consideration to cost, location, size, rent-paying ability of prospective tenants, or other factors bearing upon the amounts and periods of assistance needed to achieve and maintain low rentals. Such regulations may provide for rates of contribution based upon development, acquisition or administration cost, number of dwelling units, number of persons housed, or other appropriate factors: *Provided*, That the fixed contribution payable annually under any contract shall in no case exceed a sum equal to the annual yield, at the going Federal rate of interest at the time such contract is made plus 1 per centum, upon the development or acquisition cost of the low-rent housing or slum-clearance project involved: *And provided further*, That all such annual contributions shall be used first to apply toward any payment of interest or principal on any loan due to the Authority from the public housing agency.

Regulations.

Provisos.
Not to exceed annual yield, etc.

Payment of interest or principal.

Contribution contracts for periods exceeding 20 years.

Reexaminations.

(c) In case any contract for annual contributions is made for a period exceeding twenty years, the Authority shall reserve the right to reexamine the status of the low-rent-housing project involved at the end of ten years and every five years thereafter; and, at the time of any such reexamination, the Authority may make such modification (subject to all the provisions of this section) in the fixed and uniform amounts of subsequent annual contributions payable under such contract as is warranted by changed conditions and as is consistent with maintaining the low-rent character of the housing project involved. In no case shall any contract for annual contributions be made for a period exceeding sixty years.

Funds available for payment of annual contributions.

(d) All payments of annual contributions pursuant to this section shall be made out of any funds available to the Authority when such payments are due, except that its capital and its funds obtained through the issuance of obligations pursuant to section 20 (including repayments or other realizations of the principal of loans made out of such capital and funds) shall not be available for the payment of such annual contributions.

Contracts authorized.

(e) The Authority is authorized, on and after the date of the enactment of this Act, to enter into contracts which provide for annual contributions aggregating not more than $5,000,000 per annum, on or after July 1, 1938, to enter into additional such contracts which provide for annual contributions aggregating not more than $7,500,000 per annum, and on or after July 1, 1939, to enter into additional such contracts which provide for annual contributions aggregating not more than $7,500,000 per annum. Without further authorization from Congress, no new contracts for annual contributions beyond those herein authorized shall be entered into by the

Authority. The faith of the United States is solemnly pledged to the payment of all annual contributions contracted for pursuant to this section, and there is hereby authorized to be appropriated in each fiscal year, out of any money in the Treasury not otherwise appropriated, the amounts necessary to provide for such payments.

Federal obligations.

CAPITAL GRANTS IN ASSISTANCE OF LOW RENTALS

SEC. 11. (a) As an alternative method of assistance to that provided in section 10, when any public housing agency so requests and demonstrates to the satisfaction of the Authority that such alternative method is better suited to the purpose of achieving and maintaining low rentals and to the other purposes of this Act, capital grants may be made to such agency for such purposes. The capital grants thus made for any low-rent-housing or slum-clearance project shall be paid in connection with its development or acquisition, and shall be strictly limited to the amounts necessary, in the determination of the Authority, to assure its low-rent character: *Provided, however*, That no capital grant shall be made for the development of any low-rent-housing or slum-clearance project involving the construction of new dwellings, unless the project includes the elimination by demolition, condemnation, and effective closing, or the compulsory repair or improvement of unsafe or insanitary dwellings situated in the locality or metropolitan area, substantially equal in number to the number of newly constructed dwelling units provided by the project; except that such elimination may, in the discretion of the Authority, be deferred in any locality or metropolitan area where the shortage of decent, safe, or sanitary housing available to families of low income is so acute as to force dangerous overcrowding of such families.

Capital grants in assistance of low rentals.

Proviso. Condition

(b) Pursuant to subsection (a) of this section, the Authority may make a capital grant for any low-rent-housing or slum-clearance project, which shall in no case exceed 25 per centum of its development or acquisition cost.

Limitation on amount.

(c) All payments of capital grants by the Authority pursuant to subsection (b) of this section shall be made out of any funds available to the Authority, except that its capital and its funds obtained through the issuance of obligations pursuant to section 20 (including repayments or other realizations of the principal of loans made out of such capital and funds) shall not be available for the payment of such capital grants.

Funds available.

Post, p. 898.

(d) The Authority is authorized, on or after the date of the enactment of this Act to make capital grants (pursuant to subsection (b) of this section) aggregating not more than $10,000,000, on or after July 1, 1938, to make additional capital grants aggregating not more than $10,000,000, and on or after July 1, 1939, to make additional capital grants aggregating not more than $10,000,000. Without further authorization from Congress, no capital grants beyond those herein authorized shall be made by the Authority.

Limitation on authority to make grants.

(e) To supplement any capital grant made by the Authority in connection with the development of any low-rent-housing or slum-clearance project, the President may allocate to the Authority, from any funds available for the relief of unemployment, an additional capital grant to be expended for payment of labor used in such development: *Provided*, That such additional capital grant shall not exceed 15 per centum of the development cost of the low-rent-housing or slum-clearance project involved.

Allocation of funds to supplement grants.

Proviso. Limitation.

(f) No capital grant pursuant to this section shall be made for any low-rent-housing or slum-clearance project unless the public housing agency receiving such capital grant shall also receive, from the State,

State, etc., contribution.

political subdivision thereof, or otherwise, a contribution for such project (in the form of cash, land, or the value, capitalized at the going Federal rate of interest, of community facilities or services for which a charge is usually made, or tax remissions or tax exemptions) in an amount not less than 20 per centum of its development or acquisition cost.

DISPOSAL OF FEDERAL PROJECTS

Disposal of Federal projects.

SEC. 12. (a) It is hereby declared to be the purpose of Congress to provide for the orderly disposal of any low-rent-housing projects hereafter transferred to or acquired by the Authority through the sale or leasing of such projects as hereinafter provided; and, in order to continue the relief of Nation-wide unemployment and in order to avoid waste pending such sale or lease, to provide for the completion and temporary administration of such projects by the Authority.

Authority to sell its Federal projects, etc.

(b) As soon as practicable the Authority shall sell its Federal projects or divest itself of their management through leases.

Sale to public housing agency only; consideration.

(c) The Authority may sell a Federal project only to a public housing agency. Any such sale shall be for a consideration, in whatever form may be satisfactory to the Authority, equal at least to the amount which the Authority determines to be the fair value of the project for housing purposes of a low-rent character (making such adjustment as the Authority deems advisable for any annual contributions which may hereafter be given hereunder in aid of the project), less such allowance for depreciation as the Authority shall fix. Such project shall then become eligible for loans pursuant to section 9, and either annual contributions pursuant to section 10 or a capital grant pursuant to section 11. Any obligation of the purchaser accepted by the Authority as part of the consideration for the sale of such project shall be deemed a loan pursuant to section 9.

Eligibility for loans. *Ante*, p. 891.

Leases to public housing agency.

(d) The Authority may lease any Federal low-rent-housing project, in whole or in part, to a public housing agency. The lessee of any project, pursuant to this paragraph, shall assume and pay all management, operation, and maintenance costs, together with payments, if any, in lieu of taxes, and shall pay to the Authority such annual sums as the Authority shall determine are consistent with maintaining the low-rent character of such project. The provisions of section 321 of the Act of June 30, 1932 (U. S. C., 1934 edition, title 40, sec. 303 b), shall not apply to any lease pursuant to this Act.

47 Stat. 412. 40 U. S. C. § 303b.

Rentals.

(e) In the administration of any Federal low-rent-housing project pending sale or lease, the Authority shall fix the rentals at the amounts necessary to pay all management, operation, and maintenance costs, together with payments, if any, in lieu of taxes, plus such additional amounts as the Authority shall determine are consistent with maintaining the low-rent character of such project.

GENERAL POWERS OF THE AUTHORITY

General powers of the Authority.

SEC. 13. (a) The Authority may foreclose on any property or commence any action to protect or enforce any right conferred upon it by any law, contract, or other agreement. The Authority may bid for and purchase at any foreclosure by any party or at any other sale, or otherwise acquire, and may administer, any low-rent-housing project which it previously owned or in connection with which it has made a loan pursuant to section 9, annual contributions pursuant to section 10, or capital grants pursuant to section 11.

State civil and criminal jurisdiction.

(b) The acquisition by the Authority of any real property pursuant to this Act shall not deprive any State or political subdivision thereof of its civil and criminal jurisdiction in and over such property, or impair the civil rights under the State or local law of the inhabitants on such property; and, insofar as any such jurisdiction may have been taken away or any such rights impaired by reason of the acquisition of any property transferred to the Authority pursuant to section 4 (d), such jurisdiction and such rights are hereby fully restored.

Ante, p. 890.

Payments in lieu of taxes.

(c) The Authority may enter into agreements to pay annual sums in lieu of taxes to any State or political subdivision thereof with respect to any real property owned by the Authority. The amount so paid for any year upon any such property shall not exceed the taxes that would be paid to the State or subdivision, as the case may be, upon such property if it were not exempt from taxation thereby.

Insurance

(d) The Authority may procure insurance against any loss in connection with its property and other assets (including mortgages), in such amounts, and from such insurers, as it deems desirable.

Sale or exchange of property.

(e) The Authority may sell or exchange at public or private sale, or lease, any real property (except low-rent-housing projects, the disposition of which is governed elsewhere in this Act) or personal property, and sell or exchange any securities or obligations, upon such terms as it may fix. The Authority may borrow on the security of any real or personal property owned by it, or on the security of the revenues to be derived therefrom, and may use the proceeds of such loans for the purposes of this Act.

Borrowing authority.

Contracts and agreements.

SEC. 14. Subject to the specific limitations or standards in this Act governing the terms of sales, rentals, leases, loans, contracts for annual contributions, contracts for capital grants, or other agreements, the Authority may, whenever it deems it necessary or desirable in the fulfillment of the purposes of this Act, consent to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, security, amount of annual contribution, or any other term, of any contract or agreement of any kind to which the Authority is a party or which has been transferred to it pursuant to this Act. Any rule of law contrary to this provision shall be deemed inapplicable.

Provisions for preserving low rentals, etc.

SEC. 15. In order to insure that the low-rent character of housing projects will be preserved, and that the other purposes of this Act will be achieved, it is hereby provided that—

Low-rent-housing projects.
Ante, p. 891.

(1) When a loan is made pursuant to section 9 for a low-rent-housing project the Authority may retain the right, in the event of a substantial breach of the condition (which shall be embodied in the loan agreement) providing for the maintenance of the low-rent character of the housing project involved or in the event of the acquisition of such project by a third party in any manner including a bona-fide foreclosure under a mortgage or other lien held by a third party, to increase the interest payable thereafter on the balance of said loan then held by the Authority to a rate not in excess of the going Federal rate (at the time of such breach or acquisition) plus 2 per centum per annum or to declare the unpaid principal on said loan due forthwith.

Slum-clearance projects.

(2) When a loan is made pursuant to section 9 for a slum-clearance project the Authority shall retain the right, in the event of the leasing or acquisition of such project by a third party in any manner including a bona-fide foreclosure under a mortgage or other lien held by a third party, to increase the interest payable thereafter on the balance of said loan then held by the Authority to a rate not in

excess of the going Federal rate (at the time of such leasing or acquisition) plus 2 per centum per annum or to declare the unpaid principal on said loan due forthwith.

Contracts for annual contributions, rights reserved by Authority.

(3) When a contract for annual contributions is made pursuant to section 10, the Authority shall retain the right, in the event of a substantial breach of the condition (which shall be embodied in such contract) providing for the maintenance of the low-rent character of the housing project involved, to reduce or terminate the annual contributions payable under such contract. In the event of the acquisition of such project by a third party in any manner including a bona-fide foreclosure under a mortgage or other lien held by a third party, such annual contributions shall terminate.

Insertion of other covenants in contracts.

(4) The Authority may also insert in any contract for loans, annual contributions, capital grants, sale, lease, mortgage, or any other agreement or instrument made pursuant to this Act, such other covenants, conditions, or provisions at it may deem necessary in order to insure the low-rent character of the housing project involved: *Provided*, That any such contract for a substantial loan may contain a condition requiring the maintenance of an open space or playground in connection with the housing project involved if deemed necessary by the Authority for the safety or health of children.

Proviso. Playground space.

Cost limitation, family dwelling units, etc.

(5) No contract for any loan, annual contribution, or capital grant made pursuant to this Act shall be entered into by the Authority with respect to any project hereafter initiated costing more than $4,000 per family-dwelling-unit or more than $1,000 per room (excluding land, demolition, and non-dwelling facilities); except that in any city the population of which exceeds 500,000 any such contract may be entered into with respect to a project hereafter initiated costing not to exceed $5,000 per family-dwelling-unit or not to exceed $1,250 per room (excluding land, demolition, and non-dwelling facilities), if in the opinion of the Authority such higher family-dwelling-unit cost or cost per room is justified by reason of higher costs of labor and materials and other construction costs. With respect to housing projects on which construction is hereafter initiated, the Authority shall make loans, grants, and annual contributions only for such low-rent-housing projects as it finds are to be undertaken in such a manner (a) that such projects will not be of elaborate or expensive design or materials, and economy will be promoted both in construction and administration, and (b) that the average construction cost of the dwelling units (excluding land, demolition, and non-dwelling facilities) in any such project is not greater than the average construction cost of dwelling units currently produced by private enterprise, in the locality or metropolitan area concerned, under the legal building requirements applicable to the proposed site, and under labor standards not lower than those prescribed in this Act.

Activities restricted.

Labor standards.

SEC. 16. In order to protect labor standards—

Contractors on public buildings. 49 Stat. 1011. 40 U. S. C., Supp. II, § 276a. 49 Stat. 793. 40 U. S. C., Supp. II, §§ 270a–d.

(1) The provisions of the Act of August 30, 1935, entitled "An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings" (49 Stat. 1011), and of the Act of August 24, 1935, entitled "An Act requiring contracts for the construction, alteration, and repair of any public building or public work of the United States to be accompanied by a performance bond protecting the United States and by an additional bond for the protection of persons furnishing material and labor for the construction, alteration, or repair of said public buildings or public work" (U. S. C., 1934 edition, Supp. II, title 40, secs. 270a to 270d, inclusive),

shall apply to contracts in connection with the development or administration of Federal projects and the furnishing of materials and labor for such projects: *Provided*, That suits shall be brought in the name of the Authority and that the Authority shall itself perform the duties prescribed by section 3 (a) of the Act of August 30, 1935, and section 3 of the Act of August 24, 1935.

Proviso
Suits.
49 Stat. 1012, 794

(2) Any contract for loans, annual contributions, capital grants, sale, or lease pursuant to this Act shall contain a provision requiring that the wages or fees prevailing in the locality, as determined or adopted (subsequent to a determination under applicable State or local law) by the Authority, shall be paid to all architects, technical engineers, draftsmen, technicians, laborers, and mechanics employed in the development or administration of the low-rent housing or slum-clearance project involved; and the Authority may require certification as to compliance with the provisions of this paragraph prior to making any payment under such contract.

Prevailing wages or fees

(3) The Act entitled "An Act limiting the hours of daily services of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes", as amended (37 Stat. 137), shall apply to contracts of the Authority for work in connection with the development and administration of Federal projects.

Eight-hour workday Act.
37 Stat. 137.
40 U. S. C. §§ 324, 325.

(4) The benefits of the Act entitled "An Act to provide compensation for employees of United States suffering injuries while in the performance of their duties, and for other purposes" (39 Stat. 742), shall extend to officers and employees of the Authority.

Injuries to Government employees.
39 Stat. 742.
5 U. S. C. §§ 751-793.

(5) The provisions of sections 1 and 2 of the Act of June 13, 1934 (U. S. C., 1934 edition, title 40, secs. 276b and 276c), shall apply to any low-rent-housing or slum-clearance project financed in whole or in part with funds made available pursuant to this Act.

Compensation on public works.
48 Stat. 948.
40 U. S. C. §§ 276b, c.

(6) Any contractor engaged on any project financed in whole or in part with funds made available pursuant to this Act shall report monthly to the Secretary of Labor, and shall cause all subcontractors to report in like manner (within five days after the close of each calendar month, on forms to be furnished by the United States Department of Labor), as to the number of persons on their respective pay rolls on the particular project, the aggregate amount of such pay rolls, the total man-hours worked, and itemized expenditures for materials. Any such contractor shall furnish to the Department of Labor the names and addresses of all subcontractors on the work at the earliest date practicable.

Report of contractors.

FINANCIAL PROVISIONS

Financial provisions.

SEC. 17. The Authority shall have a capital stock of $1,000,000, which shall be subscribed by the United States and paid by the Secretary of the Treasury out of any available funds. Receipts for such payment shall be issued to the Secretary of the Treasury by the Authority and shall evidence the stock ownership of the United States of America.

Capital stock, subscription by United States.

SEC. 18. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $26,000,000 for the fiscal year ending June 30, 1938, of which $1,000,000 shall be available to pay the subscription to the capital stock of the Authority. Such sum, and all receipts and assets of the Authority, shall be available for the purposes of this Act until expended.

Appropriation authorized.
Ante, p. 772.

Availability.

SEC. 19. Any funds available under any Act of Congress for allocation for housing or slum clearance may, in the discretion of the President, be allocated to the Authority for the purposes of this Act.

Allocations.

Issuance of obligations

SEC. 20. (a) The Authority is authorized to issue obligations, in the form of notes, bonds, or otherwise, which it may sell to obtain funds for the purposes of this Act. The Authority may issue such obligations in an amount not to exceed $100,000,000 on or after the date of enactment of this Act, an additional amount not to exceed $200,000,000 on or after July 1, 1938, and an additional amount not to exceed $200,000,000 on or after July 1, 1939. Such obligations shall be in such forms and denominations, mature within such periods not exceeding sixty years from date of issue, bear such rates of interest not exceeding 4 per centum per annum, be subject to such terms and conditions, and be issued in such manner and sold at such prices as may be prescribed by the Authority, with the approval of the Secretary of the Treasury.

Tax exemption.

(b) Such obligations shall be exempt, both as to principal and interest, from all taxation (except surtaxes, estate, inheritance, and gift taxes) now or hereafter imposed by the United States or by any State, county, municipality, or local taxing authority.

Guarantee by United States.

(c) Such obligations shall be fully and unconditionally guaranteed upon their face by the United States as to the payment of both interest and principal, and, in the event that the Authority shall be unable to make any such payment upon demand when due, payments shall be made to the holder by the Secretary of the Treasury with money hereby authorized to be appropriated for such purpose out of any money in the Treasury not otherwise appropriated. To the extent of such payment the Secretary of the Treasury shall succeed to all the rights of the holder.

Deemed lawful investments; security.

(d) Such obligations shall be lawful investments and may be accepted as security for all fiduciary, trust, and public funds the investment or deposit of which shall be under the authority or control of the United States or any officer or agency thereof.

Purchase, sale, etc.

The Secretary of the Treasury is likewise authorized to purchase any such obligations, and for such purchases he may use as a public-debt transaction the proceeds from the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any such purchases. The Secretary of the Treasury may at any time sell any of the obligations acquired by him pursuant to this section, and all redemptions, purchases, and sales by him of such obligations shall be treated as public-debt transactions of the United States.

40 Stat. 288.

Marketing.

(e) Such obligations may be marketed for the Authority at its request by the Secretary of the Treasury, utilizing all the facilities of the Treasury Department now authorized by law for the marketing of obligations of the United States.

Deposits.

SEC. 21. (a) Any money of the Authority not otherwise employed may be deposited, subject to check, with the Treasurer of the United States or in any Federal Reserve bank, or may be invested in obligations of the United States or used in the purchase or retirement or redemption of any obligations issued by the Authority.

Depositories, etc.

(b) The Federal Reserve banks are authorized and directed to act as depositories, custodians, and fiscal agents for the Authority in the general exercise of its powers, and the Authority may reimburse any such bank for its services in such manner as may be agreed upon.

Authority as financial agent of Government.

(c) The Authority may be employed as a financial agent of the Government. When designated by the Secretary of the Treasury, and subject to such regulations as he may prescribe, the Authority shall be a depository of public money, except receipts from customs.

Limitation on expenditure in any one State.

(d) Not more than 10 per centum of the funds provided for in this Act, either in the form of a loan, grant, or annual contribution, shall be expended within any one State.

PENALTIES

Penalty provisions.

Application of general statutes.

SEC. 22. All general penal statutes relating to the larceny, embezzlement, or conversion or to the improper handling, retention, use, or disposal of public moneys or property of the United States shall apply to the moneys and property of the Authority and to moneys and properties of the United States entrusted to the Authority.

False entries, etc.

SEC. 23. Any person who, with intent to defraud the Authority or to deceive any director, officer, or employee thereof or any officer or employee of the United States, makes any false entry in any book of the Authority or make any false report or statement to or for the Authority shall, upon conviction thereof, be fined not more than $1,000 or imprisoned for not more than one year, or both.

Fraud, etc.

SEC. 24. Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the Authority or with intent unlawfully to defeat its purposes, shall, upon conviction thereof, be fined not more than $1,000 or imprisoned for not more than one year, or both.

Interest in contract, etc.

SEC. 25. Any person who induces or influences the Authority to purchase or acquire any property or to enter into any contract and willfully fails to disclose any interest, legal or equitable, which he has in such property or in the property to which such contract relates, or any special benefit which he expects to receive as a result of such contract, shall, upon conviction thereof, be fined not more than $1,000 or imprisoned for not more than one year, or both.

Unlawful use of name.

SEC. 26. No individual, association, partnership, or corporation shall use the words "United States Housing Authority", or any combination of these four words, as the name, or part thereof, under which he or it shall do business. Any such use shall constitute a misdemeanor and shall be punishable by a fine not exceeding $1,000.

Conflicting provisions; present Act to apply.
49 Stat. 2025, 2035.
40 U. S. C., Supp. II, §§ 421, 431.

SEC. 27. Wherever the application of the provisions of this Act conflicts with the application of the provisions of Public Numbered 837, approved June 29, 1936 (49 Stat. 2025), Public Numbered 845, approved June 29, 1936 (49 Stat. 2035), or any other Act of the United States dealing with housing or slum clearance, or any Executive order, regulation, or other order thereunder, the provisions of this Act shall prevail.

Alley Dwelling Authority.
Administrative expenses.

SEC. 28. The President is hereby authorized to make available to The Alley Dwelling Authority, from any funds appropriated or otherwise provided to carry out the purposes of this Act, such sums as he deems necessary to carry out the purposes of the District of Columbia Alley Dwelling Act, approved June 12, 1934 (Public Numbered 307, Seventy-third Congress). Such sums shall be deposited in the Conversion of Inhabited Alleys Fund and thereafter shall remain immediately available for the purposes of the District of Columbia Alley Dwelling Act.

48 Stat. 930.

Separability provision.

SEC. 29. Notwithstanding any other evidences of the intention of Congress, it is hereby declared to be the controlling intent of Congress that if any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Short title.

SEC. 30. This Act may be cited as the "United States Housing Act of 1937".

Approved, September 1, 1937.

[CHAPTER 897]

AN ACT

September 1, 1937
[S. 1722]
[Public, No. 413]

To provide subsistence for the Eskimos and other natives of Alaska by establishing for them a permanent and self-sustaining economy; to encourage and develop native activity in all branches of the reindeer industry; and for other purposes.

Alaska.
Reindeer industry, establishment, etc.
Policy and purpose declared.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a necessity for providing means of subsistence for the Eskimos and other natives of Alaska is hereby declared to exist. It is also declared to be the policy of Congress, and the purpose of this Act, to establish and maintain for the said natives of Alaska a self-sustaining economy by acquiring and organizing for and on behalf of said natives a reindeer industry or business, by encouraging and developing native activity and responsibility in all branches of the said industry or business, and by preserving the native character of the said industry or business thus established.

Government acquisition of reindeer, range equipment, etc.

SEC. 2. The Secretary of the Interior is hereby authorized and directed, to acquire, in the name of the United States, by purchase or other lawful means, including exercise of the power of eminent domain, for and on behalf of the Eskimos and other natives of Alaska, reindeer, reindeer-range equipment, abattoirs, cold-storage plants, warehouses, and other property, real or personal, the acquisition of which he determines to be necessary to the effectuation of the purposes of this Act. Any condemnation proceedings undertaken by virtue of the authority granted in this section shall conform, as nearly as may be, to the procedure provided for the condemnation of real estate by the Act of August 1, 1888 (Chapter 728), or to that provided by the Act of February 26, 1931 (Chapter 307): *Provided*, That nothing herein contained shall authorize the Secretary of the Interior to consolidate native-owned herds of reindeer with herds owned by others than natives prior to the purchase or acquisition of such herds of others than natives.

Condemnation proceedings.

40 U. S. C. §§ 257, 258a.

Proviso.
Consolidation of native-owned with nonnative-owned herds.

Declarations of ownership by nonnatives to be filed.

SEC. 3. All persons, other than natives of Alaska, who upon the date of this enactment claim title to any Alaskan reindeer shall, within one year after the date of this enactment, file in Alaska, with the duly authorized agent or agents of the Secretary of the Interior, declarations of their ownership. Similar declarations concerning Alaskan reindeer acquired by any person not a native of Alaska by purchase or by gift at any time after the date of this enactment shall be filed as aforesaid within thirty days after the date of such acquisition. Records of all declarations thus filed shall be made and kept open to public inspection in Alaska. If any owner of Alaskan reindeer, to whom the foregoing provisions of this section are applicable, shall fail to file the required declaration within the stated period, he shall be barred thereafter from asserting his claim of title.

Records; open to inspection.
Failure to file declaration.

Acceptance of gifts.

SEC. 4. The Secretary of the Interior is hereby authorized to receive, in the name of the United States, for and on behalf of said natives of Alaska, gifts made for the purposes of this Act.

Federal loans, allocations, etc.

SEC. 5. The Secretary of the Interior is hereby authorized to receive and expend, for the purposes of this Act, properly authorized loans, grants, or allocations made to him for said purposes by Federal agencies.

Receipts to constitute a revolving fund.

SEC. 6. Except as herein otherwise specially provided, none of the moneys collected or received by the Secretary of the Interior in his administration of this Act shall be paid into the Treasury, but all such moneys shall constitute a revolving fund to be administered by the Secretary of the Interior for the purposes of this Act.

Establishment of permanent, self-sustaining economy authorized.

SEC. 7. The Secretary of the Interior is authorized and directed to organize and manage the reindeer industry or business provided for by this Act in such manner as to establish and maintain for said

natives of Alaska a complete and self-sustaining economy and to encourage and develop the activity and responsibility of said natives in all branches of said industry or business.

Distributions to natives.

SEC. 8. The Secretary of the Interior is authorized to distribute the reindeer and other property acquired by the United States under this Act among the Eskimos or other natives of Alaska, or to corporations, associations, or organizations of said natives, either in the form of gifts or under such conditions as the Secretary of the Interior may prescribe, and to execute and deliver appropriate instruments of title, or to hold and use the same in trust for the use and benefit of said natives, with a view of effecting the widest possible distribution of such reindeer and other property among those natives of Alaska who are in need thereof and who can make proper use of the same. The Secretary of the Interior may from time to time, in such manner as he determines to be proper for effectuating the purposes of this Act, distribute among those of said natives or corporations, associations, or other organizations of said natives, who are engaged in said industry or business or for whose subsistence reindeer are necessary, whatever profits may be earned by that part of the industry or business which is owned by the United States and which may, in the judgment of the Secretary of the Interior, be distributed in accordance with sound business practice.

Profits.

Delegation of powers.

SEC. 9. The Secretary of the Interior is hereby authorized to grant, in his discretion and subject to such terms as he may impose, to any corporations, associations, or other organizations of said natives any or all of the powers relating to the administration of the reindeer industry or business herein provided for, upon a finding by him as to each grant that it is in the interests of the said natives of Alaska and will serve the purposes of this Act.

Sale or transfer by descent, etc., to other than natives.

SEC. 10. Live reindeer in Alaska, and the increase thereof, acquired by the Secretary of the Interior pursuant to this Act, and live reindeer in Alaska, and the increase thereof, owned by the said natives of Alaska or corporations, associations, or other organizations of said natives, however acquired, shall not be sold or transferred, by descent, devise, or in any other manner whatsoever, to anyone other than the said natives of Alaska the United States for and on behalf of said natives, or corporations, associations, or other organizations of said natives, except with the consent in writing of the Secretary of the Interior or his duly authorized agent, stating that such consent is given upon the condition that the reindeer, and any increase thereof, sold or otherwise transferred with said consent, shall either be butchered in the Territory of Alaska within thirty days or shipped out of said Territory and never brought back alive into said Territory. Sales or other transfers of said reindeer, if made without the consent in writing herein required, or, although made with said consent, if followed by failure to comply with the condition therein required, shall be null and void, and shall not pass any title to or right to possession of any reindeer or increase thereof. No stock or other interest in any corporation, association, or other organization of said natives, engaged in or organized for the purpose of engaging in the reindeer industry or business, shall be transferred, by descent, devise, or in any other manner whatsoever, to anyone other than said natives of Alaska, the United States for and on behalf of said natives, or corporations, associations, or other organizations of said natives. Any willful violation of the provisions of this section of this Act by any vendee or other transferee shall be punishable by a fine of not more than $500: *Provided*, That no title to any reindeer, or reindeer products, owned by the United States for and on behalf of the said natives of Alaska, nor any title to reindeer, or reindeer products, owned by any of said natives or said corporations, asso-

Transfer of stock of native organization to nonnative, etc.

Penalty for violation.

Provisos.
Title restrictions.

ciations, or other organizations of said natives, nor any stock or other interest in said corporations, associations, or other organizations of said natives, shall be transferred by descent, device [1], or in any other manner whatsoever, except pursuant to regulations promulgated by the Secretary of the Interior for the purposes of preserving the native character of the reindeer industry or business in Alaska and effectuating the other purposes of this Act: *Provided further*, That nothing herein contained shall prevent any native of Alaska who owns reindeer or any interest therein through stock ownership, or otherwise, in any corporation or association or other organization owning reindeer, from transferring his reindeer, or any interest therein, to his children or other native relatives by gift, sale, devise, or bequest, or prevent the same from being so transferred or passed by descent.

Transfer to native relatives.

"Reindeer" defined.

SEC. 11. "Reindeer" as used in this Act shall be understood to include reindeer and such caribou as have been introduced into animal husbandry or have actually joined reindeer herds, and the increase thereof.

Rules and regulations.

SEC. 12. The Secretary of the Interior is hereby authorized to promulgate such rules and regulations as, in his judgment, are necessary to carry into effect the provisions of this Act.

Appointment of natives to supervisory positions.

SEC. 13. Whenever, in his judgment, it is practicable and to the best interests of the natives the Secretary shall appoint natives to the supervisory and other positions in the administration of such reindeer industry or business.

Grazing, ranges, etc.

SEC. 14. In order to coordinate the use of public lands in Alaska for grazing reindeer with the purposes of this Act, the Secretary of the Interior is hereby authorized to regulate the grazing of reindeer upon said lands. He may, in his discretion, define reindeer ranges and regulate the use thereof for grazing reindeer; issue grazing permits; regulate and control all round-ups, handlings, markings, and butcherings of reindeer upon said public lands; and may issue rules and regulations to carry into effect the provisions of this section of this Act. Any person who willfully violates any of the rules and regulations promulgated for the purpose of carrying into effect the provisions of this section of this Act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment for not more than one year or by a fine of not more than $500.

Penalty provisions.

"Natives of Alaska" defined.
15 Stat. 539.

SEC. 15. The term "natives of Alaska" as used herein shall be deemed to mean the native Indians, Eskimos, and Aleuts of whole or part blood inhabiting Alaska at the time of the Treaty of Cession of Alaska to the United States and their descendants of whole or part blood, together with the Indians and Eskimos who, since the year 1867 and prior to the enactment hereof, have migrated into Alaska from the Dominion of Canada, and their descendants of the whole or part blood.

Appropriation authorized.

SEC. 16. The sum of $2,000,000 is hereby authorized to be appropriated for the use of the Secretary of the Interior in carrying out the provisions of this Act.

Inconsistent Acts repealed.

SEC. 17. All Acts of Congress or parts thereof which are inconsistent with the provisions of this Act are hereby repealed.

Approved, September 1, 1937.

[1] So in original.

[CHAPTER 898]

AN ACT

September 1, 1937
[H. R. 7667]
[Public, No. 414]

To regulate commerce among the several States, with the Territories and possessions of the United States, and with foreign countries; to protect the welfare of consumers of sugars and of those engaged in the domestic sugar-producing industry; to promote the export trade of the United States; to raise revenue; and for other purposes.

Sugar Act of 1937

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Sugar Act of 1937.

TITLE I—DEFINITIONS

Title I—Definitions.

(Title IV excepted.)

SECTION 101. For the purposes of this Act, except title IV—

"Person."

(a) The term "person" means an individual, partnership, corporation, or association.

"Sugars"

(b) The term "sugars" means any grade or type of saccharine product derived from sugarcane or sugar beets, which contains sucrose, dextrose, or levulose.

"Sugar."

(c) The term "sugar" means raw sugar or direct-consumption sugar.

"Raw sugar."

(d) The term "raw sugar" means any sugars which are principally of crystalline structure and which are to be further refined or improved in quality, and any sugars which are principally not of crystalline structure but which are to be further refined or otherwise improved in quality to produce any sugars principally of crystalline structure.

"Direct-consumption sugar"

(e) The term "direct-consumption sugar" means any sugars which are principally of crystalline structure and which are not to be further refined or otherwise improved in quality.

"Liquid sugar."

(f) The term "liquid sugar" means any sugars (exclusive of sirup of cane juice produced from sugarcane grown in continental United States) which are principally not of crystalline structure and which contain, or which are to be used for the production of any sugars principally not of crystalline structure which contain, soluble nonsugar solids (excluding any foreign substances that may have been added) equal to 6 per centum or less of the total soluble solids.

Sugars in dry amorphous form.

(g) Sugars in dry amorphous form shall be considered to be principally of crystalline structure.

"Raw value."

(h) The "raw value" of any quantity of sugars means its equivalent in terms of ordinary commercial raw sugar testing ninety-six sugar degrees by the polariscope, determined in accordance with regulations to be issued by the Secretary. The principal grades and types of sugar and liquid sugar shall be translated into terms of raw value in the following manner:

Grades and types.

(1) For direct-consumption sugar, derived from sugar beets and testing ninety-two or more sugar degrees by the polariscope, by multiplying the number of pounds thereof by 1.07;

(2) For sugar, derived from sugarcane and testing ninety-two sugar degrees by the polariscope, by multiplying the number of pounds thereof by 0.93;

(3) For sugar, derived from sugarcane and testing more than ninety-two sugar degrees by the polariscope, by multiplying the number of pounds thereof by the figure obtained by adding to 0.93 the result of multiplying 0.0175 by the number of degrees and fractions of a degree of polarization above ninety-two degrees;

(4) For sugar and liquid sugar, testing less than ninety-two sugar degrees by the polariscope, by dividing the number of pounds of the "total sugar content" thereof by 0.972.

(5) The Secretary may establish rates for translating sugar and liquid sugar into terms of raw value for (a) any grade or type of sugar or liquid sugar not provided for in the foregoing and (b) any special grade or type of sugar or liquid sugar for which he determines that the raw value cannot be measured adequately under the provisions of paragraphs (1) to (4), inclusive, of this subsection (h).

"Total sugar content."

(i) The term "total sugar content" means the sum of the sucrose (Clerget) and reducing or invert sugars contained in any grade or type of sugar or liquid sugar.

"Quota."

(j) The term "quota", depending upon the context, means (1) that quantity of sugar or liquid sugar which may be brought or imported into the continental United States, for consumption therein, during any calendar year, from the Territory of Hawaii, Puerto Rico, the Virgin Islands, the Commonwealth of the Philippine Islands, or a foreign country or group of foreign countries; (2) that quantity of sugar or liquid sugar produced from sugar beets or sugarcane grown in the continental United States which, during any calendar year, may be shipped, transported, or marketed in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce; or (3) that quantity of sugar or liquid sugar which may be marketed in the Territory of Hawaii or in Puerto Rico, for consumption therein, during any calendar year.

"Producer."

(k) The term "producer" means a person who is the legal owner, at the time of harvest or abandonment, of a portion or all of a crop of sugar beets or sugarcane grown on a farm for the extraction of sugar or liquid sugar.

"Including" and "include."

(l) The terms "including" and "include" shall not be deemed to exclude anything not mentioned but otherwise within the meaning of the term defined.

"Secretary."

(m) The term "Secretary" means the Secretary of Agriculture.

Title II—Quota provisions.

TITLE II—QUOTA PROVISIONS

Annual determination of requirements.

SEC. 201. The Secretary shall determine for each calendar year the amount of sugar needed to meet the requirements of consumers in the continental United States; such determinations shall be made during the month of December in each year for the succeeding calendar year and at such other times during such calendar year as the Secretary may deem necessary to meet such requirements. In making such determinations the Secretary shall use as a basis the quantity of direct-consumption sugar distributed for consumption, as indicated by official statistics of the Department of Agriculture, during the twelve-month period ending October 31 next preceding the calendar year for which the determination is being made, and shall make allowances for a deficiency or surplus in inventories of sugar, and changes in consumption, as computed from statistics published by agencies of the Federal Government with respect to inventories of sugar, population, and demand conditions; and in order that the regulation of commerce provided for under this Act shall not result in excessive prices to consumers, the Secretary may make such additional allowances as he may deem necessary in the amount of sugar determined to be needed to meet the requirements of consumers, so that the supply of sugar made available under this Act shall not result in average prices to consumers in excess of those necessary to maintain the

Basis.

Consumer safeguards.

domestic sugar industry as a whole, and the amounts of such additional allowances shall be such that in no event will the amount of the total supply be less than the quantity of sugar required to give consumers of sugar in the continental United States a per capita consumption equal to that of the average of the two-year period 1935–1936.

SEC. 202. Whenever a determination is made, pursuant to section 201, of the amount of sugar needed to meet the requirements of consumers, the Secretary shall establish quotas, or revise existing quotas—

Domestic areas.

(a) For domestic sugar-producing areas by prorating among such areas 55.59 per centum of such amount of sugar (but not less than 3,715,000 short tons) on the following basis:

Area	Per centum
Domestic beet sugar	41.72
Mainland cane sugar	11.31
Hawaii	25.25
Puerto Rico	21.48
Virgin Islands	.24

Foreign countries

(b) For foreign countries, and the Commonwealth of the Philippine Islands, by prorating 44.41 per centum of such amount of sugar (except, if such amount of sugar is less than 6,682,670 short tons, the excess of such amount over 3,715,000 short tons) on the following basis:

Area	Per centum
Commonwealth of the Philippine Islands	34.70
Cuba	64.41
Foreign countries other than Cuba	.89

Quota for Philippine Islands.
48 Stat. 456.
48 U. S. C., Supp. II, §§ 1231–1247.

In no case shall the quota for the Commonwealth of the Philippine Islands be less than the duty-free quota now established by the provisions of the Philippine Independence Act.

Foreign countries, other than Cuba; prorating.

The quota for foreign countries other than Cuba shall be prorated among such countries on the basis of the division of the quota for such countries made in General Sugar Quota Regulations, Series 4, Number 1, issued December 12, 1936, pursuant to the Agricultural Adjustment Act, as amended.

Local marketings in Hawaii and in Puerto Rico.

SEC. 203. In accordance with the applicable provisions of section 201, the Secretary shall also determine the amount of sugar needed to meet the requirements of consumers in the Territory of Hawaii, and in Puerto Rico, and shall establish quotas for the amounts of sugar which may be marketed for local consumption in such areas equal to the amounts determined to be needed to meet the requirements of consumers therein.

Inability of domestic, etc., area to market quota.

SEC. 204. (a) The Secretary shall, as he deems necessary during the calendar year, determine whether, in view of the current inventories of sugar, the estimated production from the acreage of sugarcane or sugar beets planted, the normal marketings within a calendar year of new-crop sugar, and other pertinent factors, any domestic area, the Commonwealth of the Philippine Islands, or Cuba, will be unable to market the quota for such area. If the Secretary finds that any domestic area or Cuba will be unable to market the quota for such area for the calendar year then current, he shall revise the quotas for the domestic areas and Cuba by prorating an amount of sugar equal to the deficit so determined to the other such areas, on the basis of the quotas then in effect. Any portion of such sugar which the Secretary determines cannot be supplied by domestic areas and Cuba shall be prorated to foreign countries other than Cuba on the basis of the prorations of the quota then in effect for such

Revision authorized.

Proration of deficiency.

foreign countries. If the Secretary finds that the Commonwealth of the Philippine Islands will be unable to market the quota for such area for the calendar year then current, he shall revise the quota for foreign countries other than Cuba by prorating an amount of sugar equal to the deficit so determined to such foreign countries, on the basis of the prorations of the quota then in effect for such countries: *Provided, however*, That the quota for any domestic area, the Commonwealth of the Philippine Islands, or Cuba or other foreign countries, shall not be reduced by reason of any determination made pursuant to the provisions of this subsection.

Proviso. Reduction provision.

Proration to foreign country; revision, if not filled.

(b) If, on the 1st day of September in any calendar year, any part or all of the proration to any foreign country of the quota in effect on the 1st day of July in the same calendar year for foreign countries other than Cuba, has not been filled, the Secretary may revise the proration of such quota among such foreign countries, by prorating an amount of sugar equal to such unfilled proration to all other such foreign countries which have filled their prorations of such quota by such date, on the basis of the prorations then in effect.

Allotment of quota to persons marketing or importing sugar, etc.

SEC. 205. (a) Whenever the Secretary finds that the allotment of any quota, or proration thereof, established for any area pursuant to the provisions of this Act, is necessary to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, or to prevent disorderly marketing or importation of sugar or liquid sugar, or to maintain a continuous and stable supply of sugar or liquid sugar, or to afford all interested persons an equitable opportunity to market sugar or liquid sugar within any area's quota, after such hearing and upon such notice as he may by regulations prescribe, he shall make allotments of such quota or proration thereof by allotting to persons who market or import sugar or liquid sugar, for such periods as he may designate, the quantities of sugar or liquid sugar which each such person may market in continental United States, the Territory of Hawaii, or Puerto Rico, or may import or bring into continental United States, for consumption therein. Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person; or the ability of such person to market or import that portion of such quota or proration thereof allotted to him. The Secretary may also, upon such hearing and notice as he may by regulations prescribe, revise or amend any such allotment upon the same basis as the initial allotment was made.

Appeal from decision making allotment.

(b) An appeal may be taken, in the manner hereinafter provided, from any decision making such allotments, or revision thereof, to the United States Court of Appeals for the District of Columbia in any of the following cases:

(1) By any applicant for an allotment whose application shall have been denied.

(2) By any person aggrieved by reason of any decision of the Secretary granting or revising any allotment made to him.

Proceedings.

(c) Such appeal shall be taken by filing with said court within twenty days after the decision complained of is effective, notice in writing of said appeal and a statement of the reasons therefor, together with proof of service of a true copy of said notice and statement upon the Secretary. Unless a later date is specified by the Secretary as part of his decision, the decision complained of shall be considered to be effective as of the date on which public announcement of the decision is made at the office of the Secretary

in the city of Washington. The Secretary shall thereupon, and in any event not later than ten days from the date of such service upon him, mail or otherwise deliver a copy of said notice of appeal to each person shown by the records of the Secretary to be interested in such appeal and to have a right to intervene therein under the provisions of this section, and shall at all times thereafter permit any such person to inspect and make copies of appellants' reasons for said appeal at the office of the Secretary in the city of Washington. Within thirty days after the filing of said appeal the Secretary shall file with the court the originals or certified copies of all papers and evidence presented to him upon the hearing involved and also a like copy of his decision thereon and shall within thirty days thereafter file a full statement in writing of the facts and grounds for his decision as found and given by him and a list of all interested persons to whom he has mailed or otherwise delivered a copy of said notice of appeal.

Intervention by interested party.

(d) Within thirty days after the filing of said appeal any interested person may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party together with proof of service of true copies of said notice and statement, both upon the appellant and upon the Secretary. Any person who would be aggrieved or whose interests would be adversely affected by reversal or modification of the decision of the Secretary complained of shall be considered an interested party.

Court jurisdiction.

(e) At the earliest convenient time the court shall hear and determine the appeal upon the record before it, and shall have power, upon such record, to enter a judgment affirming or reversing the decision, and if it enters an order reversing the decision of the Secretary it shall remand the case to the Secretary to carry out the judgment of the court: *Provided, however,* That the review by the court shall be limited to questions of law and that findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the Secretary are arbitrary or capricious. The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States, upon writ of certiorari on petition therefor, under section 240 of the Judicial Code, as amended (U. S. C., 1934 ed., title 28, sec. 347), by appellant, by the Secretary, or by any interested party intervening in the appeal.

Proviso. Limitations.

Judgment.

28 U. S. C. § 347.

Assessment of costs.

(f) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, and other interested parties intervening in said appeal, but not against the Secretary, depending upon the nature of the issues involved in such appeal and the outcome thereof.

Philippine Islands, quota allotments.

(g) The Government of the Commonwealth of the Philippine Islands shall make allotments of any quota established for it pursuant to the provisions of this Act on the basis specified in section 6 (d) of Public Law Numbered 127, approved March 24, 1934.

48 Stat. 459. 48 U. S. C. § 1236(d).

Provisional quotas.

SEC. 206. Until sugar quotas are established pursuant to this Act for the calendar year 1937, which shall be within sixty days after its enactment, the quotas determined by the Secretary in General Sugar Quota Regulations, Series 4, Number 1, issued December 12, 1936, pursuant to the provisions of the Agricultural Adjustment Act, as amended, shall remain in full force and effect.

Direct-consumption sugar. Hawaii.

SEC. 207. (a) Not more than twenty-nine thousand six hundred and sixteen short tons, raw value, of the quota for Hawaii for each of the calendar years 1937, 1938, and 1939 may be filled by direct-consumption sugar; and not more than four thousand nine hundred

and thirty-six short tons, raw value, of the quota for Hawaii for the calendar year 1940 may be filled, during the first two months of such year, by direct-consumption sugar.

Puerto Rico.

(b) Not more than one hundred and twenty-six thousand and thirty-three short tons, raw value, of the quota for Puerto Rico for each of the calendar years 1937, 1938, and 1939 may be filled by direct-consumption sugar; and not more than twenty-one thousand and six short tons, raw value, of the quota for Puerto Rico for the calendar year 1940 may be filled, during the first two months of such year, by direct-consumption sugar.

Virgin Islands.

(c) None of the quota for the Virgin Islands for any calendar year may be filled by direct-consumption sugar.

Philippine Islands.

(d) Not more than eighty thousand two hundred and fourteen short tons, raw value, of the quota for the Commonwealth of the Philippine Islands for any calendar year may be filled by direct-consumption sugar.

Cuba.

(e) Not more than three hundred and seventy-five thousand short tons, raw value, of the quota for Cuba for any calendar year may be filled by direct-consumption sugar.

Inapplicable to designated local marketings.
Ante, p. 905.

(f) This section shall not apply with respect to the quotas established under section 203 for marketing for local consumption in Hawaii and Puerto Rico.

Liquid sugar for foreign countries.

SEC. 208. Quotas for liquid sugar for foreign countries for each calendar year are hereby established as follows:

Country	In terms of wine gallons of 72% total sugar content
Cuba	7,970,558
Dominican Republic	830,894
Other foreign countries	0

The quantities of liquid sugar imported into the continental United States during the calendar year 1937, prior to the enactment of this Act, shall be charged against the quotas for the calendar year 1937 established by this section.

Unlawful acts.

SEC. 209. All persons are hereby prohibited—

Importing beyond quota, etc.

(a) From bringing or importing into the continental United States from the Territory of Hawaii, Puerto Rico, the Virgin Islands, the Commonwealth of the Philippine Islands, or foreign countries, any sugar or liquid sugar after the quota for such area, or the proration of any such quota, has been filled;

Interstate shipment, etc.

(b) From shipping, transporting, or marketing in interstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce, any sugar or liquid sugar produced from sugar beets or sugarcane grown in either the domestic-beet-sugar area or the mainland-cane-sugar area after the quota for such area has been filled;

Hawaii or Puerto Rico, marketing for consumption therein.

(c) From marketing in either the Territory of Hawaii or Puerto Rico, for consumption therein, any sugar or liquid sugar after the quota therefor has been filled;

Exceeding allotments, etc.

(d) From exceeding allotments of any quota or proration thereof made to them pursuant to the provisions of this Act.

Determinations to be made in terms of raw value.

SEC. 210 (a) The determinations provided for in sections 201 and 203, and all quotas, prorations, and allotments, except quotas established pursuant to the provisions of section 208, shall be made or established in terms of raw value.

Liquid sugar, status.

(b) For the purposes of this title, liquid sugar, except that imported from foreign countries, shall be included with sugar in making the determinations provided for in sections 201 and 203 and in the establishment or revision of quotas, prorations, and allotments.

Credits and drawbacks.

SEC. 211. (a) The raw-value equivalent of any sugar or liquid sugar in any form, including sugar or liquid sugar in manufactured products, exported from the continental United States under the provisions of section 313 of the Tariff Act of 1930 shall be credited against any charges which shall have been made in respect to the applicable quota or proration for the country of origin. The country of origin of sugar or liquid sugar in respect to which any credit shall be established shall be that country in respect to importation from which drawback of the exported sugar or liquid sugar has been claimed. Sugar or liquid sugar entered into the continental United States under an applicable bond established pursuant to orders or regulations issued by the Secretary, for the express purpose of subsequently exporting the equivalent quantity of sugar or liquid sugar as such, or in manufactured articles, shall not be charged against the applicable quota or proration for the country of origin.

46 Stat. 693.
19 U. S. C. § 1313.

"Exportation" construed.

(b) Exportation within the meaning of sections 309 and 313 of the Tariff Act of 1930 shall be considered to be exportation within the meaning of this section.

46 Stat. 690, 693.
19 U. S. C. §§ 1309, 1313.

Local production requirements.

(c) The quota established for any domestic sugar producing area may be filled only with sugar or liquid sugar produced from sugar beets or sugarcane grown in such area: *Provided, however*, That any sugar or liquid sugar admitted free of duty from the Virgin Islands under the Act of Congress, approved March 3, 1917 (39 Stat. 1133), may be admitted within the quota for the Virgin Islands.

Proviso.
Virgin Islands.
39 Stat. 1132.
48 U. S. C. § 1391.

Exemptions.

SEC. 212. The provisions of this title shall not apply to (1) the first ten short tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba, in any calendar year; (2) the first ten short tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba, in any calendar year for religious, sacramental, educational, or experimental purposes; (3) liquid sugar imported from any foreign country, other than Cuba, in individual sealed containers of such capacity as the Secretary may determine, not in excess of one and one-tenth gallons each; or (4) any sugar or liquid sugar imported, brought into, or produced or manufactured in the United States for the distillation of alcohol, or for livestock feed, or for the production of livestock feed.

TITLE III—CONDITIONAL-PAYMENT PROVISIONS

Title III—Conditional-payment provisions.

SEC. 301. The Secretary is authorized to make payments on the following conditions with respect to sugar or liquid sugar commercially recoverable from the sugar beets or sugarcane grown on a farm for the extraction of sugar or liquid sugar:

Child labor restriction.

(a) That no child under the age of fourteen years shall have been employed or permitted to work on the farm, whether for gain to such child or any other person, in the production, cultivation, or harvesting of a crop of sugar beets or sugarcane with respect to which application for payment is made, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed; and that no child between the ages of fourteen and sixteen years shall have been employed or permitted to do such work, whether for gain to such child or any other person, for a longer period than eight hours in any one day, except a member of the immediate family of a person who was the legal owner of not less than 40 per centum of the crop at the time such work was performed.

Wage rates.

(b) That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect

to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however*, That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payment.

Proviso. Adjustments.

Marketing in excess of share of area's quota

(c) That there shall not have been marketed (or processed) an amount (in terms of planted acreage, weight, or recoverable sugar content) of sugar beets or sugarcane grown on the farm and used for the production of sugar or liquid sugar to be marketed in, or so as to compete with or otherwise directly affect interstate or foreign commerce, in excess of the proportionate share for the farm, as determined by the Secretary pursuant to the provisions of section 302, of the total quantity of sugar beets or sugarcane required to be processed to enable the area in which such sugar beets or sugarcane are produced to meet the quota (and provide a normal carry-over inventory) as estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

Where producer is also processor, paying at rates not less than fair, etc.

(d) That the producer on the farm who is also, directly or indirectly, a processor of sugar beets or sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Compliance with soil conservation practices.

(e) That there shall have been carried out on the farm such farming practices in connection with the production of sugar beets and sugarcane during the year in which the crop was harvested with respect to which a payment is applied for, as the Secretary may determine, pursuant to this subsection, for preserving and improving fertility of the soil and for preventing soil erosion, such practices to be consistent with the reasonable standards of the farming community in which the farm is situated.

Certain provisions not retroactive.

The conditions provided in subsection (a) and in subsection (b) with respect to wage rates, of this section shall not apply to work performed prior to the enactment of this Act; and the condition provided in subsection (c) of this section shall not apply to the marketing of the first crop harvested after the enactment of this Act from sugar beets or sugarcane planted prior to such enactment.

Computation of amount with respect to payment.

SEC. 302. (a) The amount of sugar or liquid sugar with respect to which payment may be made shall be the amount of sugar or liquid sugar commercially recoverable, as determined by the Secretary, from the sugar beets or sugarcane grown on the farm and marketed (or processed by the producer) not in excess of the proportionate share for the farm, as determined by the Secretary, of the quantity of sugar beets or sugarcane for the extraction of sugar or liquid sugar required to be processed to enable the producing area in which the crop of sugar beets or sugarcane is grown to meet the

quota (and provide a normal carryover inventory) estimated by the Secretary for such area for the calendar year during which the larger part of the sugar or liquid sugar from such crop normally would be marketed.

Proportionate shares, determination of.

(b) In determining the proportionate shares with respect to a farm, the Secretary may take into consideration the past production on the farm of sugar beets and sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and the Secretary shall, insofar as practicable, protect the interests of new producers and small producers and the interests of producers who are cash tenants, share-tenants, adherent planters, or share-croppers.

Payments, when effective

(c) Payments shall be effective with respect to sugar or liquid sugar commercially recoverable from sugar beets and sugarcane grown on a farm and which shall have been marketed (or processed by the producer) on and after July 1, 1937.

Crop abandonment, deficiencies, etc.

SEC. 303. In addition to the amount of sugar or liquid sugar with respect to which payments are authorized under subsection (a) of section 302, the Secretary is also authorized to make payments, on the conditions provided in section 301, with respect to bona-fide abandonment of planted acreage and crop deficiencies of harvested acreage, resulting from drought, flood, storm, freeze, disease, or insects, which cause such damage to all or a substantial part of the crop of sugar beets or sugarcane in the same factory district (as established by the Secretary), county, parish, municipality, or local producing area, as determined in accordance with regulations issued by the Secretary, on the following quantities of sugar or liquid sugar: (1) With respect to such bona-fide abandonment of each planted acre of sugar beets or sugarcane, one-third of the normal yield of commercially recoverable sugar or liquid sugar per acre for the farm, as determined by the Secretary; and (2) with respect to such crop deficiencies of harvested acreage of sugar beets or sugarcane, the excess of 80 per centum of the normal yield of commercially recoverable sugar or liquid sugar for such acreage for the farm, as determined by the Secretary, over the actual yield.

Rate of payment.

SEC. 304. (a) The amount of the base rate of payment shall be 60 cents per hundred pounds of sugar or liquid sugar, raw value.

Computation.

(b) All payments shall be calculated with respect to a farm which, for the purposes of this Act, shall be a farming unit as determined in accordance with regulations issued by the Secretary, and in making such determinations, the Secretary shall take into consideration the use of common work stock, equipment, labor, management, and other pertinent factors.

(c) The total payment with respect to a farm shall be the product of the base rate specified in subsection (a) of this section multiplied by the amount of sugar and liquid sugar, raw value, with respect to which payment is to be made, except that reductions shall be made from such total payment in accordance with the following scale of reductions:

Scale of reductions.

That portion of the quantity of sugar and liquid sugar which is included within the following intervals of short tons, raw value:	Reduction in the base rate of payment per hundredweight of such portion
500 to 1,500	$0.050
1,500 to 6,000	.075
6,000 to 12,000	.100
12,000 to 30,000	.125
More than 30,000	.300

Payments.

(d) Application for payment shall be made by, and payments shall be made to, the producer or, in the event of his death, disappearance, or incompetency, his legal representative, or heirs: *Provided, however*, That all producers on the farm shall signify in the application for payment the per centum of the total payment with respect to the farm to be made to each producer: *And provided further*, That payments may be made, (1) in the event of the death, disappearance, or incompetency of a producer, to such beneficiary as the producer may designate in the application for payment; (2) to one producer of a group of two or more producers, provided all producers on the farm designate such producer in the application for payment as sole recipient for their benefit of the payment with respect to the farm; or (3) to a person who is not a producer, provided such person controls the land included within the farm with respect to which the application for payment is made and is designated by the sole producer (or all producers) on the farm, as sole recipient for his or their benefit, of the payment with respect to the farm.

Provisos.
Per centum of total to be stated.

Payments in event of death, etc.

To one producer in a group.

Nonproducer.

Utilization of local committees, etc.

SEC. 305. In carrying out the provisions of titles II and III of this Act, the Secretary is authorized to utilize local committees of sugar beet or sugarcane producers, State and county agricultural conservation committees, or the Agricultural Extension Service and other agencies, and the Secretary may prescribe that all or a part of the expenses of such committees may be deducted from the payments herein authorized.

Incurred expenses.

Basis for payment; review.

SEC. 306. The facts constituting the basis for any payment, or the amount thereof authorized to be made under this title, officially determined in conformity with rules or regulations prescribed by the Secretary, shall be reviewable only by the Secretary, and his determinations with respect thereto shall be final and conclusive.

Application of title.

SEC. 307. This title shall apply to the continental United States, the Territory of Hawaii, and Puerto Rico.

Title IV—Excise taxes with respect to sugar.

TITLE IV—EXCISE TAXES WITH RESPECT TO SUGAR

DEFINITIONS

Definitions.

SEC. 401. For the purposes of this title—

"Person."

(a) The term "person" means an individual, partnership, corporation, or association.

"Manufactured sugar."

(b) The term "manufactured sugar" means any sugar derived from sugar beets or sugarcane, which is not to be, and which shall not be, further refined or otherwise improved in quality; except sugar in liquid form which contains nonsugar solids (excluding any foreign substance that may have been added) equal to more than 6 per centum of the total soluble solids, and except also sirup of cane juice produced from sugarcane grown in continental United States.

Grades or types.

The grades or types of sugar within the meaning of this definition shall include, but shall not be limited to, granulated sugar, lump sugar, cube sugar, powdered sugar, sugar in the form of blocks, cones, or molded shapes, confectioners' sugar, washed sugar, centrifugal sugar, clarified sugar, turbinado sugar, plantation white sugar, muscovado sugar, refiners' soft sugar, invert sugar mush, raw sugar, sirups, molasses, and sugar mixtures.

"Total sugars."

(c) The term "total sugars" means the total amount of the sucrose (Clerget) and of the reducing or invert sugars. The total sugars contained in any grade or type of manufactured sugar shall be ascertained in the manner prescribed in paragraphs 758, 759, 762, and 763 of the United States Customs Regulations (1931 edition).

"United States."

(d) The term "United States" shall be deemed to include the States, the Territories of Hawaii and Alaska, the District of Columbia, and Puerto Rico.

TAX ON THE MANUFACTURE OF SUGAR

Tax on manufacture of sugar.

SEC. 402. (a) Upon manufactured sugar manufactured in the United States, there shall be levied, collected and paid a tax, to be paid by the manufacturer at the following rates:

Rates.

(1) On all manufactured sugar testing by the polariscope ninety-two sugar degrees, 0.465 cent per pound, and for each additional sugar degree shown by the polariscopic test, 0.00875 cent per pound additional, and fractions of a degree in proportion;

(2) On all manufactured sugar testing by the polariscope less than ninety-two sugar degrees, 0.5144 cent per pound of the total sugars therein.

Sugar sold or used as manufactured sugar, tax.

(b) Any person who acquires any sugar which is to be manufactured into manufactured sugar but who, without further refining or otherwise improving it in quality, sells such sugar as manufactured sugar or uses such sugar as manufactured sugar in the production of other articles for sale shall be considered for the purposes of this section the manufacturer of manufactured sugar and, as such, liable for the tax hereunder with respect thereto.

Monthly returns and tax payments.

(c) The manufacturer shall file on the last day of each month a return and pay the tax with respect to manufactured sugar manufactured after the effective date of this title (1) which has been sold, or used in the production of other articles, by the manufacturer during the preceding month (if the tax has not already been paid) and (2) which has not been so sold or used within twelve months ending during the preceding calendar month, after it was manufactured (if the tax has not already been paid): *Provided*, That the first return and payment of the tax shall not be due until the last day of the second month following the month in which this title takes effect.

Proviso. First return and payment.

Order of sale or use.

For the purpose of determining whether sugar has been sold or used within twelve months after it was manufactured sugar shall be considered to have been sold or used in the order in which it was manufactured.

No tax on producer's personal, etc., consumption.

(d) No tax shall be required to be paid upon the manufacture of manufactured sugar by, or for, the producer of the sugar beets or sugarcane from which such manufactured sugar was derived, for consumption by the producer's own family, employees, or household.

IMPORT COMPENSATING TAX

Import compensating tax.

Tax on imports.

SEC. 403. (a) In addition to any other tax or duty imposed by law, there shall be imposed, under such regulations as the Commissioner of Customs shall prescribe, with the approval of the Secretary of the Treasury, a tax upon articles imported or brought into the United States as follows:

Rates.

(1) On all manufactured sugar testing by the polariscope ninety-two sugar degrees, 0.465 cent per pound, and for each additional sugar degree shown by the polariscopic test, 0.00875 cent per pound additional, and fractions of a degree in proportion;

(2) On all manufactured sugar testing by the polariscope less than ninety-two sugar degrees 0.5144 cent per pound of the total sugars therein;

(3) On all articles composed in chief value of manufactured sugar 0.5144 cent per pound of the total sugars therein.

Collection, etc.

(b) Such tax shall be levied, assessed, collected, and paid in the same manner as a duty imposed by the Tariff Act of 1930, and shall be treated for the purposes of all provisions of law relating to the

46 Stat. 590.

Exceptions.
46 Stat. 701; 48 Stat. 943.
19 U. S. C. §§ 1336, 1351.

customs revenue as a duty imposed by such Act, except that for the purposes of sections 336 and 350 of such Act (the so-called flexible-tariff and trade-agreements provisions) such tax shall not be considered a duty or import restriction, and except that no preference with respect to such tax shall be accorded any articles imported or brought into the United States.

EXPORTATION, LIVESTOCK FEED, AND DISTILLATION

Exportation provisions.

SEC. 404. (a) Upon the exportation from the United States to a foreign country, or the shipment from the United States to any possession of the United States except Puerto Rico, of any manufactured sugar, or any article manufactured wholly or partly from manufactured sugar, with respect to which tax under the provisions of section 402 has been paid, the amount of such tax shall be paid by the Commissioner of Internal Revenue to the consignor named in the bill of lading under which the article was exported or shipped to a possession, or to the shipper, if the consignor waives any claim thereto in favor of such shipper: *Provided*, That no such payment shall be allowed with respect to any manufactured sugar, or article, upon which, through substitution or otherwise, a drawback of any tax paid under section 403 has been or is to be claimed under any provisions of law made applicable by section 403.

Ante, p. 913.

Proviso. Drawbacks.

Ante, p. 913.

Livestock feed; distillation

(b) Upon the use of any manufactured sugar, or article manufactured therefrom, as livestock feed, or in the production of livestock feed, or for the distillation of alcohol, there shall be paid by the Commissioner of Internal Revenue to the person so using such manufactured sugar, or article manufactured therefrom, the amount of any tax paid under section 402 with respect thereto.

Filing claim.

(c) No payment shall be allowed under this section unless within one year after the right to such payment has accrued a claim therefor is filed by the person entitled thereto.

Collection of taxes.

COLLECTION OF TAXES

Internal Revenue Bureau.

SEC. 405. (a) Except as otherwise provided, the taxes imposed by this title shall be collected by the Bureau of Internal Revenue under the direction of the Secretary of the Treasury. Such taxes shall be paid into the Treasury of the United States.

Existing provisions applicable.
47 Stat. 259.

(b) All provisions of law, including penalties, applicable with respect to the taxes imposed under title IV of the Revenue Act of 1932, shall, insofar as applicable and not inconsistent with the provisions of this title, be applicable in respect to the tax imposed by section 402. If the tax is not paid when due there shall be added as part of the tax interest at 6 per centum per annum from the date the tax became due until the date of payment.

Rules and regulations.

(c) The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe such rules and regulations as may be necessary to carry out all provisions of this title except section 403.

Place of tax payment.

(d) Any person required, pursuant to the provisions of section 402, to file a return may be required to file such return with and pay the tax shown to be due thereon to the collector of internal revenue for the district in which the manufacturing was done or the liability incurred.

EFFECTIVE DATE

Effective date.

SEC. 406. The provisions of this title shall become effective on the date of enactment of this Act.

TITLE V—GENERAL PROVISIONS

Title V—General provisions.

SEC. 501. For the purposes of this Act, except title IV, the Secretary shall—

Personal services.

(a) Appoint and fix the compensation of such officers and employees as he may deem necessary in administering the provisions of this Act: *Provided*, That all such officers and employees, except attorneys, economists, experts, and persons in the employ of the Department of Agriculture on the date of the enactment of this Act, shall be subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended: *And provided further*, That no salary in excess of $10,000 per annum shall be paid to any such person.

Provisos.
Subject to Civil Service, etc., laws; exceptions.
5 U. S. C., §§ 631-652, 661-674.

Salary limitation.

(b) Make such expenditures as he deems necessary to carry out the provisions of this Act, including personal services and rents in the District of Columbia and elsewhere, traveling expenses (including the purchase, maintenance, and repair of passenger-carrying vehicles), supplies and equipment, law books, books of reference, directories, periodicals, and newspapers.

Expenditures authorized.

SEC. 502. (a) There is hereby authorized to be appropriated for each fiscal year for the purposes and administration of this Act, except for allotments in the Philippine Islands as provided in subsection (g) of section 205, a sum not to exceed $55,000,000.

Annual appropriations authorized.
Ante, p. 762.
Ante, p. 907.

(b) All funds available for carrying out this Act shall be available for allotment to the bureaus and offices of the Department of Agriculture and for transfer to such other agencies of the Federal Government as the Secretary may request to cooperate or assist in carrying out the provisions of this Act.

Allotment of funds.

SEC. 503. There is authorized to be appropriated an amount equal to the amount of the taxes collected or accrued under title IV on sugars produced from sugarcane grown in the Commonwealth of the Philippine Islands which are manufactured in or brought into the United States on or prior to June 30, 1941, minus the costs of collecting such taxes and the estimates of amounts of refunds required to be made with respect to such taxes, for transfer to the Government of the Commonwealth of the Philippines for the purpose of financing a program of economic adjustment in the Philippines, the transfer to be made under such terms and conditions as the President of the United States may prescribe: *Provided*, That no part of the appropriations herein authorized shall be paid directly or indirectly for the production or processing of sugarcane in the Philippine Islands.

Philippine Islands, payment to

Use of funds for economic adjustment.

Proviso.
Restriction

SEC. 504. The Secretary is authorized to make such orders or regulations, which shall have the force and effect of law, as may be necessary to carry out the powers vested in him by this Act. Any person knowingly violating any order or regulation of the Secretary issued pursuant to this Act shall, upon conviction, be punished by a fine of not more than $100 for each such violation.

Administrative orders, etc.; penalty for violation.

SEC. 505. The several district courts of the United States are hereby vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating, the provisions of this Act or of any order or regulation made or issued pursuant to this Act. If and when the Secretary shall so request, it shall be the duty of the several district attorneys of the United States, in their respective districts, to institute proceedings to enforce the remedies and to collect the penalties and forfeitures provided for in this Act. The remedies provided for in this Act shall be in addition to, and not exclusive of, any of the remedies or penalties existing at law or in equity.

District courts, jurisdiction over violations, etc.

SEC. 506. Any person who knowingly violates, or attempts to violate, or who knowingly participates or aids in the violation of, any

Penalty provisions.

of the provisions of section 209, or any person who brings or imports into the continental United States direct-consumption sugar after the quantities specified in section 207 have been filled, shall forfeit to the United States the sum equal to three times the market value, at the time of the commission of any such, (a) of that quantity of sugar or liquid sugar by which any quota, proration, or allotment is exceeded, or (b) of that quantity brought or imported into the continental United States after the quantities specified in section 207 have been filled, which forfeiture shall be recoverable in a civil suit brought in the name of the United States.

Information, penalty for willful failure to furnish.

SEC. 507. All persons engaged in the manufacturing, marketing, or transportation of sugar or liquid sugar, and having information which the Secretary deems necessary to enable him to administer the provisions of this Act, shall, upon the request of the Secretary, furnish him with such information. Any person willfully failing or refusing to furnish such information, or furnishing willfully any false information, shall upon conviction be subject to a penalty of not more than $1,000 for each such violation.

Speculation, etc., restriction.

SEC. 508. No person shall, while acting in any official capacity in the administration of this Act, invest or speculate in sugar or liquid sugar, contracts relating thereto, or the stock or membership interests of any association or corporation engaged in the production or manufacturing of sugar or liquid sugar. Any person violating this section shall upon conviction thereof be fined not more than $10,000 or imprisoned not more than two years, or both.

Penalty.

Suspension of operation, etc., in national emergency.

SEC. 509. Whenever the President finds and proclaims that a national economic or other emergency exists with respect to sugar or liquid sugar, he shall by proclamation suspend the operation of title II or III above, which he determines, on the basis of such findings, should be suspended, and, thereafter, the operation of any such title shall continue in suspense until the President finds and proclaims that the facts which occasioned such suspension no longer exist. The Secretary shall make such investigations and reports thereon to the President as may be necessary to aid him in carrying out the provisions of this section.

Designated legislation not applicable.

SEC. 510. The provisions of the Agricultural Adjustment Act, as amended, shall cease to apply to sugar upon the enactment of this Act, and the provisions of Public Resolution Numbered 109, Seventy-fourth Congress, approved June 19, 1936, are hereby repealed.

49 Stat. 1539.
7 U. S. C., Supp. II, §§ 613a, 608a–1.

Investigations, etc., authorized.

SEC. 511. In order to facilitate the effectuation of the purposes of this Act, the Secretary is authorized to make surveys, investigations, including the holding of public hearings, and to make recommendations with respect to (a) the terms and conditions of contracts between the producers and processors of sugar beets and sugarcane and (b) the terms and conditions of contracts between laborers and producers of sugar beets and sugarcane.

Research and publication of information.

SEC. 512. The Secretary is authorized to conduct surveys, investigations, and research relating to the conditions and factors affecting the methods of accomplishing most effectively the purposes of this Act and for the benefit of agriculture generally in any area. Notwithstanding any provision of existing law, the Secretary is authorized to make public such information as he deems necessary to carry out the provisions of this Act.

Termination of tax, etc.

SEC. 513. No tax shall be imposed on the manufacture, use, or importation of sugar after June 30, 1941, and the powers vested in the Secretary under this Act shall terminate on December 31, 1940, except that the Secretary shall have power to make payments under title III under programs applicable to the crop year 1940 and previous crop years.

Payments under applicable programs.

Approved, September 1, 1937.

[CHAPTER 899]

AN ACT

To provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes.

September 2, 1937
[S. 2670]
[Public, No. 415]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to cooperate with the States, through their respective State fish and game departments, in wildlife-restoration projects as hereinafter set forth; but no money apportioned under this Act to any State shall be expended therein until its legislature, or other State agency authorized by the State constitution to make laws governing the conservation of wildlife, shall have assented to the provision of this Act and shall have passed laws for the conservation of wildlife which shall include a prohibition against the diversion of license fees paid by hunters for any other purpose than the administration of said State fish and game department, except that, until the final adjournment of the first regular session of the legislature held after the passage of this Act, the assent of the Governor of the State shall be sufficient. The Secretary of Agriculture and the State fish and game department of each State accepting the benefits of this Act shall agree upon the wildlife-restoration projects to be aided in such State under the terms of this Act and all projects shall conform to the standards fixed by the Secretary of Agriculture.

Wildlife-restoration projects
Federal cooperation through State game, etc., departments
Assent, etc., of State.

Agreement to terms.

SEC. 2. For the purposes of this Act the term "wildlife-restoration project" shall be construed to mean and include the selection, restoration, rehabilitation, and improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife, including acquisition by purchase, condemnation, lease, or gift of such areas or estates or interests therein as are suitable or capable of being made suitable therefor, and the construction thereon or therein of such works as may be necessary to make them available for such purposes and also including such research into problems of wildlife management as may be necessary to efficient administration affecting wildlife resources, and such preliminary or incidental costs and expenses as may be incurred in and about such projects; the term "State fish and game department" shall be construed to mean and include any department or division of department of another name, or commission, or official or officials, of a State empowered under its laws to exercise the functions ordinarily exercised by a State fish and game department.

"Wildlife-restoration project" defined.

"State fish and game department."

SEC. 3. An amount equal to the revenue accruing during the fiscal year ending June 30, 1939, and each fiscal year thereafter, from the tax imposed by section 610, title IV, of the Revenue Act of 1932 (47 Stat. 169), as heretofore or hereafter extended and amended, on firearms, shells, and cartridges, is hereby authorized to be set apart in the Treasury as a special fund to be known as "The Federal aid to wildlife-restoration fund" and is hereby authorized to be appropriated and made available until expended for the purposes of this Act. So much of such appropriation apportioned to any State for any fiscal year as remains unexpended at the close thereof is authorized to be made available for expenditure in that State until the close of the succeeding fiscal year. Any amount apportioned to any State under the provisions of this Act which is unexpended or unobligated at the end of the period during which it is available for expenditure on any project is authorized to be made available for expenditure by the Secretary of Agriculture in carrying out the provisions of the Migratory Bird Conservation Act.

"The Federal aid to wildlife-restoration fund" set apart.
47 Stat. 264.

Availability.

Use of balances.

16 U. S. C. §§ 715-715r.

Administrative expenses

SEC. 4. So much, not to exceed 8 per centum, of the revenue covered into said fund in each fiscal year as the Secretary of Agriculture may estimate to be necessary for his expenses in the administration and execution of this Act and the Migratory Bird Conservation Act shall be deducted for that purpose, and such sum is authorized to be made available therefor until the expiration of the next succeeding fiscal year, and within sixty days after the close of such fiscal year the Secretary of Agriculture shall apportion such part thereof as remains unexpended by him, if any, and make certificate thereof to the Secretary of the Treasury and to the State fish and game departments on the same basis and in the same manner as is provided as to other amounts authorized by this Act to be apportioned among the States for such current fiscal year. The Secretary of Agriculture, after making the aforesaid deduction, shall apportion the remainder of the revenues in said fund for each fiscal year among the several States in the following manner, that is to say, one-half in the ratio which the area of each State bears to the total area of all the States and one-half in the ratio which the number of paid hunting-license holders of each State in the preceding fiscal year, as certified to said Secretary by the State fish and game departments, bears to the total number of paid hunting-license holders of all the States: *Provided*, That the apportionment for any one State shall not exceed the sum of $150,000 annually: *Provided further*, That where the apportionment to any State under this section is less than $15,000 annually, the Secretary of Agriculture may allocate not more than $15,000 of said fund to said State to carry out the purposes of this Act when said State certifies to the Secretary of Agriculture that it has set aside not less than $5,000 from its fish and game funds or has made, through its legislature, an appropriation in this amount, for said purposes.

Apportionment of balance

Provisos
Maximum State apportionment.

Provision where apportionment less than $15,000.

Certification of estimate for administrative expenses.

SEC. 5. Within sixty days after the approval of this Act the Secretary of Agriculture shall certify to the Secretary of the Treasury and to each State fish and game department the sum which he has estimated to be deducted for administering and executing this Act and the Migratory Bird Conservation Act and the sum which he has apportioned to each State for the fiscal year ending June 30, 1939, and on or before February 20 next preceding the commencement of each succeeding fiscal year shall make like certificates for such fiscal year. Any State desiring to avail itself of the benefits of this Act shall notify the Secretary of Agriculture to this effect within sixty days after it has received the certification referred to in this section. The sum apportioned to any State which fails to notify the Secretary of Agriculture as herein provided is authorized to be made available for expenditure by the Secretary of Agriculture in carrying out the provisions of the Migratory Bird Conservation Act.

State acceptance.

Statements to be furnished.

SEC. 6. Any State desiring to avail itself of the benefits of this Act shall by its State fish and game department submit to the Secretary of Agriculture full and detailed statements of any wildlife-restoration project proposed for that State. If the Secretary of Agriculture finds that such project meets with the standards set up by him and approves said project, the State fish and game department shall furnish to him such surveys, plans, specifications, and estimates therefor as he may require: *Provided, however*, That the Secretary of Agriculture shall approve only such projects as may be substantial in character and design and the expenditure of funds hereby authorized shall be applied only to such approved projects and if otherwise applied they shall be replaced by the State before it may participate in any further apportionment under this Act.

Proviso.
Approval.

Items included for engineering, inspection, and unforeseen contingencies in connection with any works to be constructed shall not exceed 10 per centum of the cost of such works and shall be paid by the State as a part of its contribution to the total cost of such works. If the Secretary of Agriculture approves the plans, specifications, and estimates for the project, he shall notify the State fish and game department and immediately certify the fact to the Secretary of the Treasury. The Secretary of the Treasury shall thereupon set aside so much of said fund as represents the share of the United States payable under this Act on account of such project, which sum so set aside shall not exceed 75 per centum of the total estimated cost thereof. No payment of any money apportioned under this Act shall be made on any project until such statement of the project and the plans, specifications, and estimates thereof shall have been submitted to and approved by the Secretary of Agriculture.

Limitation.

Notice of approval

Allocations

Restriction on payments.

SEC. 7. When the Secretary of Agriculture shall find that any project approved by him has been completed or, if involving research relating to wildlife, is being conducted, in compliance with said plans and specifications, he shall cause to be paid to the proper authority of said State the amount set aside for said project: *Provided*, That the Secretary of Agriculture may, in his discretion, from time to time, make payments on said project as the same progresses; but these payments, including previous payments, if any, shall not be more than the United States' pro-rata share of the project in conformity with said plans and specifications. Any construction work and labor in each State shall be performed in accordance with its laws and under the direct supervision of the State fish and game department, subject to the inspection and approval of the Secretary of Agriculture and in accordance with rules and regulations made pursuant to this Act. The Secretary of Agriculture and the State fish and game department of each State may jointly determine at what times and in what amounts payments, as work progresses, shall be made under this Act. Such payments shall be made by the Secretary of the Treasury, on warrants drawn by the Secretary of Agriculture against the said fund to such official or officials, or depository, as may be designated by the State fish and game department and authorized under the laws of the State to receive public funds of the State.

Payments on approved completed projects.

Proviso.
Installments during construction.

SEC. 8. To maintain wildlife-restoration projects established under the provisions of this Act shall be the duty of the States according to their respective laws.

State maintenance of established projects.

SEC. 9. Out of the deductions set aside for administering and executing this Act and the Migratory Bird Conservation Act, the Secretary of Agriculture is authorized to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to be taken from the eligible lists of the Civil Service; to rent or construct buildings outside of the city of Washington; to purchase such supplies, materials, equipment, office fixtures, and apparatus; and to incur such travel and other expenses, including purchase, maintenance, and hire of passenger-carrying motor vehicles, as he may deem necessary for carrying out the purposes of this Act.

Personal services.

Rent, etc.
Contingent expenses.

SEC. 10. The Secretary of Agriculture is authorized to make rules and regulations for carrying out the provisions of this Act.

Rules and regulations.

SEC. 11. The Secretary of Agriculture shall make an annual report to the Congress of the sum set apart in "The Federal aid to wildlife restoration fund", giving detailed information as to the projects and expenditures therefor.

Annual report to Congress.

Approved, September 2, 1937.

INDEX

A

Page

Acadia National Park, Maine, appropriation for administration, etc---------- 604
Accident Prevention Conference, appropriation authorized for furtherance of work---------- 631
Appropriation for---------- 762
Accounting, executive departments, payments for metered services---------- 119
Accounting Office. *See* General Accounting Office.
Accounts and Deposits, Office of Commissioner of. *See* Treasury Department.
Ackia National Memorial Commission and Battleground National Monument, Miss., balances made available- 765
Adams Act, appropriation for allotments under---------- 398
Adjusted Compensation Payment Act:
Appropriation for administrative expenses---------- 229
Amendment, escheat to United States of certain amounts which would otherwise escheat to State, etc---- 641
Adjutant General's Department. *See* War Department.
Adoption Proceedings. *See* District of Columbia.
Aerial Legal Experts, International Technical Committee of, appropriation for contribution---------- 267
Aeronautical Charts, appropriation for compilation, etc---------- 294
Aeronautics:
Bureau of. *See* Navy Department.
National Advisory Committee for, appropriation for---------- 338
Agricultural Adjustment Act. *See also* Agricultural Marketing Agreement Act of 1937.
Programs under, participation by Members of Congress---------- 838
Sugar, repeal of provisions relating to-- 916
Agricultural Chemical Investigations, appropriation for---------- 414
Agricultural Commodities Act, 1930. *See* Perishable Agricultural Commodities Act, 1930, Amendments.
Agricultural Economics, Bureau of. *See* Agriculture, Department of.

Page

Agricultural Engineering, Bureau of. *See* Agriculture, Department of.
Agricultural Experiment Stations, appropriation for---------- 398
Agricultural Extension Work, extension of, to Puerto Rico---------- 881
Agricultural Fires and Explosive Dusts, appropriation for investigations------ 415
Agricultural Marketing Act, Amendments:
Farm Credit Administration, sale of property acquired on account of loans---------- 717
Revolving fund, designated funds covered into---------- 718
Agricultural Marketing Agreement Act of 1937:
Agricultural Adjustment Act, agreements, etc., under, ratified---------- 249
No processing, etc., taxes to be levied under---------- 249
Declaration of policy---------- 246
"Interstate or foreign commerce" defined---------- 248
Milk disputes, arbitration of---------- 248
Milk prices, determination of---------- 247
Producer referendum, provisions governing---------- 247
Amendment—
Marketing agreement and order programs, provisions extended to include honeybees---------- 563
Agricultural Programs, participation in, by Members of Congress---------- 838
Agriculture:
Cotton, classification of, authorized by Secretary of Agriculture upon request of producer groups---------- 62
Collection and publication of information on supply, demand, market prices, etc---------- 62
Crop production loans, 1937. *See* Farmers.
Farm forestry. *See* Cooperative Farm Forestry Act.
Relief and benefit of, expression of views of Congress as to program for----- 754
Agriculture, Department of. *See also* Secretary of Agriculture.
Appropriation for—
Agricultural Economics, Bureau of-- 424
Wool marketing studies---------- 427
Agricultural Engineering, Bureau of-- 423

Agriculture, Department of—Continued. Page
Appropriation for—Continued.
Agricultural land resources, conservation and use of 430
Animal Industry, Bureau of 403
Foot-and-mouth disease, etc., eradication of 406
Beltsville Research Center 432
Biological Survey, Bureau of 419
Chemistry and Soils, Bureau of 414
Commodity Exchange Act, enforcement 427
Contingent expenses 396
Dairy Industry, Bureau of 407
Diseased cattle, elimination of 432
Entomology and Plant Quarantine, Bureau of 415
Experiment Stations, Office of 398
Extension Service 400
Food and Drug Administration 427
Forest roads and trails 433
Forest Service 410
Acquisition of land for national forests 413
Forest-fire cooperation 413
Forest planting stock, cooperative distribution of 413
National forest administration 411
Home Economics, Bureau of 427
Information, Office of 397
International production control committees 432
International Wheat Advisory Committee, contribution 432
Library 398
Plant Industry, Bureau of 407
Printing and binding 397
Public Roads, Bureau of 421
Federal-aid highway system 422
Grade crossing elimination 423
Public-lands highways 423
Secondary or feeder roads 422
Secretary, Office of 395
Miscellaneous expenses 396
Rent of buildings, D. C 397
Salaries 395
Soil Conservation and Domestic Allotment Act, effecting provisions of 430
Soil Conservation Service 429
Solicitor, Office of 397
Special research fund 399
Weather Bureau 402
Deficiency appropriation for—
Agricultural land resources, conservation and use of 761
Audited claims 234, 778, 781
Bankhead-Jones Farm Tenant Act, administration 762
Commodity Exchange Act, enforcement 12

Agriculture, Department of—Continued. Page
Deficiency appropriation for—Contd.
Cotton producers, price adjustment payment to 762
Dairy Industry, Bureau of 761
Damage claims 232, 775, 776
Forest Service 12
International Production Control Committees 762
Judgments, payment of 15, 776
Plant Industry, Bureau of 761
Sugar Act of 1937, administration 762
Agricultural Marketing Agreement Act of 1937, administration by 246
Appropriations, interchange of 431
Arid and semiarid areas, water conservation, etc 869
Appropriations authorized 870
Conditions required 870
Location of facilities 869
Secretary, powers and duties 870
Cooperative Farm Forestry Act, administration by 188
Cotton, classification of, authorized upon request of producer groups 62
Collection and publication of information on supply, demand, market prices, etc 62
Cotton prices, predicting future, forbidden 396
Deteriorated explosives, transfer from War Department for agricultural purposes, provisions repealed 94
Food, etc., tests, for other departments, transfer of funds authorized 431
Greenville, Tex., acquisition of tract of land near 408
Houma, La., establishment of sugarcane station at 410
Insecticide spray on fruit, use of funds for investigating effects of, forbidden 396
Insect pest and plant disease control, appropriation authorized for 57
Appropriation for 120, 514
Pecos River, survey for run-off retardation 864
Rent, D. C., transfer of funds for 471
Rio Grande, survey for run-off retardation 864
Sugar Act of 1937, administration by 903
Toll bridges on Federal-aid highways, aid to States in making certain, free bridges 640
Vehicles, purchase from lump-sum appropriations; restriction on use 431
Wildlife-restoration projects, cooperation with States with respect to, administration by 917

Page

Agriculture, International Institute of, appropriation for contribution 267
Agua Caliente Reservation, Calif., sale or lease of land for public airport, authorized 811
Air Commerce, Bureau of. *See* Commerce, Department of.
Air Corps. *See* War Department.
Air Corps Technical School:
Denver, Colo., establishment of branch at 862
Construction authorized 857
Aircraft in Commerce, appropriation for 284
Air Mail:
Alaska, surcharge for, provided 725
Investigations, appropriation for 337
Air Mail Service, appropriation for 13, 159
Air Navigation, Canal Zone. *See* Canal Zone, Code Amendments.
Air Navigation Facilities, appropriation for 284
Ak Chin Irrigation Project, Ariz., appropriation for 576
Alabama:
Collinsville, appropriation for river and harbor works 516
Coosa River, bridge authorized across, at Gilberts Ferry 27
Dauphin Island, establishment of Coast Guard station authorized 640
Mobile Bay, time extended for bridging, between Cedar Point and Dauphin Island 250
River and harbor improvements authorized 847
Preliminary examinations authorized 854
Tuscumbia, release of title to certain land to, or owners of equitable title 651
Alameda, Calif., acquisition of land for naval air station, amendment of Act providing for 56
Appropriation for 110
Alameda Creek, Calif., examination authorized 880
Alamitos Bay, Calif., examination authorized 855
Alaska:
Appropriation for—
Agricultural experiment stations 398
Extension service 400
Alaska Railroad 612
Retirement and disability fund 332
Game law enforcement 420
Governor, etc., salaries 611
Indigent, relief of 140
Insane, care, etc., of 612
International boundary commission, United States, Canada, and 270
Lowell Creek, flood control 519
Medical relief 585

Alaska—Continued. Page
Appropriation for—Continued.
Metlakahtla, Annette Islands Reserve, relief of destitution, etc 586
Mineral resources investigations 598
Mount McKinley National Park, administration, etc 605
Natives, support and education of 584
Public schools, maintenance, etc 612
Railroads, additional income tax 144
Reindeer service 586
Roads, bridges, etc., construction and repair 612
Salmon River, flood control 519
Seal fisheries, protection 296
Star-route service 158
Deficiency appropriation for—
Annette Island Reserve 222
Point Barrow Hospital, reconstruction, etc 222
Roads, bridges, etc., maintenance 765
Air mail, surcharge for, authorized 725
Bankhead-Jones Farm Tenant Act, extension of provisions to 532
Bristol Bay, commercial salmon fishing, residence requirements 639
Criminal code amendment, license tax on shipping, certain provisions repealed 497
Forest roads and trails, apportionment of sums for 433
Ketchikan, bond issue authorized for public improvements 811
Lowell Creek, modification of flood control project 806
Municipal bond issues for public works; submission and approval, provisions modified 258
One-house legislature, referendum as to establishment provided 664
Oysters, leasing of bottoms for commercial cultivation authorized 557
Reindeer industry, preservation of native character of 900
Acquisition of reindeer, range equipment, etc 900
Distribution to natives 901
Sale or transfer to other than natives, restriction 901
Appropriation authorized 902
Grazing on public lands, regulation of 902
Loans authorized 900
Receipts to constitute revolving fund 900
Nonnatives, declaration of ownership of Alaska reindeer to be filed 900
River and harbor improvements authorized 849, 850
Preliminary examinations authorized 855, 880

Alaska—Continued. Page
Salmon fishing, Bristol Bay, residence requirements 639
Shipping, license tax on, certain provisions repealed 497
Sitka Cold Storage Co., conveyance of certain land to 652
Unicameral legislature, referendum as to establishment provided 664
Alaska Communication System, appropriation for operation, etc 515
Alaska Railroad Retirement and Disability Fund, appropriation for 332
Albania, appropriation for minister to 263
Albany, N. Y., examination of waterway from, to Schenectady, N. Y., authorized 851
Albert Gallatin, statue of, Washington, D. C., selection of site and erection of pedestal authorized 260
Appropriation authorized 261
Albrook Field, C. Z., appropriation for improvements 452
Albuquerque, N. Mex., appropriation for education of Indians 583
Alcatraz Island, Calif., appropriation for penitentiary at 281
Alcohol Administration, Federal, appropriation for 144
Alcoholic Beverage Control Act, Amendments. *See* District of Columbia.
Alderson, W. Va., appropriation for Federal Industrial Institution for Women 281
Alfaro, Olmedo, admission to U. S. Military Academy 303
Aliens. *See also* Citizenship and Naturalization; Immigration and Naturalization Service.
Deportation of, who secured preference or non-quota visas by contracting marriage to fraudulently expedite admission 164
Girl Guides and Girl Scouts Silver Jubilee Camp, temporary entry of participants 484
Illegally-entered, restriction on employment under Emergency Relief Appropriation Act of 1937 354
Nonresident, tax on income 830
Removal at Government expense of certain, applying for deportation; ineligibility for readmission 164
World War veterans, naturalization of certain, residing in United States, extension of privilege 743
Allegheny River, time extended for bridging, at Pittsburgh, Pa 245
Allens Creek, Tex., examination authorized 854
Alsea River, Oreg., examination authorized 880

Alvarez, Gen. **Higinio,** appropriation authorized for payment to Mexico for account of 131
Appropriation for 769
Ambassadors, appropriation for salaries of 263
American and Philippine Experts, Joint Committee of, appropriation for 228
American Battle Monuments Commission:
Appropriation for 330
World War memorials, Europe, dedication expenses 324
American Chemical Society, incorporation of 798
Effective date 800
American Embassy Drafts, appropriation for interest payments on certain 769
American Ephemeris and Nautical Almanac, appropriation for preparation of 116
American Ethnology, appropriation for researches, etc 342
American Historical Association, appropriation for printing report of 343
American International Institute for the Protection of Childhood, appropriation for contribution 267
American Island, S. Dak., construction of tourist cabins, amusement, etc., facilities on, by Chamberlain, authorized 623
American Legion Museum, Newport News, Va., loan or gift to, of World War relics at Fort Eustis, Va., authorized 252
American Oil Co., payment of judgment 219
American Printing House for the Blind, annual authorized appropriation increased 744
Appropriation for 155, 775
American States, Eighth International Conference of, Lima, Peru, appropriation for participation expenses 271
American Telephone and Telegraph Company Investigation. *See* Federal Communications Commission.
Amoy, China, sale of lot situated at, authorized 246
Anacostia River, appropriation for settlement of land claims along shore of 763
Anastasia Island Lighthouse Reservation, Fla., disposal of portion of, amendment to Act providing for 64
St. Augustine, conveyance of portion to 65
Anclote River, Fla., examination authorized 853
Animal Industry, Bureau of. *See* Agriculture, Department of.
Annapolis, Md.:
Appropriation for engineering experiment station 103
Naval Academy at. *See* Naval Academy.

Annette Island Reserve, Alaska, appropriation for ... Page 222, 586
Annuities. *See* Railroad Retirement Act of 1937.
Anthony Wayne. *See* General Anthony Wayne Memorial Commission.
Antietam, Battle of, coinage of 50-cent pieces to commemorate anniversary, authorized ... 306
Antitrust Laws, Amendment, resale price maintenance contracts legalized where lawful in intrastate transactions ... 693
Apalachicola Bay, Fla., improvement of intracoastal waterway from, to Saint Marks River, Fla ... 847
Apalachicola River, Fla., examination authorized ... 853
Apprentices, formulation and promotion of labor standards for, by Department of Labor ... 664
Appropriation Acts:
Agriculture, Department of ... 395
Civilian Conservation Corps, Railroad Retirement Account, etc ... 469
Commerce, Department of ... 283
Deficiency Acts—
Fiscal year 1937, First ... 8
Fiscal year 1937, Second ... 213
Fiscal year 1937, Third ... 755
District of Columbia ... 359
Emergency Relief, 1937 ... 352
Emergent appropriations, fiscal year 1937 ... 135
Extension of Appropriations Act, 1938 ... 468
Continuance of, last half of July 1937 ... 514
Farm Credit Administration ... 433
Independent Offices ... 329
Interior, Department of ... 564
Justice, Department of ... 273
Labor, Department of ... 297
Legislative Branch of the Government ... 169
Military Appropriation Act ... 442
Navy Department ... 96
Post Office Department ... 155
State, Department of ... 261
Treasury Department ... 137
War Department ... 442, 515
War Department Civil Appropriation Act ... 515
Appropriations:
Accident Prevention Conference, authorized ... 631
Appropriation for ... 762
Agricultural extension work, extension of, to Puerto Rico, authorized ... 881
Alameda, Calif., acquisition of site and development, Naval Air Station ... 110
Alaska reindeer industry, preservation of native character, authorized ... 902
Appropriations—Continued. Page
Albert Gallatin, pedestal and preparation of site for statue of, authorized ... 261
American Embassy drafts, payment of interest on certain ... 769
Arid and semiarid areas, water conservation, etc., authorized ... 870
Bankhead-Jones Farm Tenant Act, authorized ... 524, 525, 526
Appropriation for ... 762
Blind, adult, increase in annual appropriation for books for, authorized ... 72
Cabinet Gorge, Columbia River, hydroelectric power surveys, authorized ... 638
Appropriation for ... 764
Camp Stanley, Tex., improvement of ammunition storage facilities, authorized ... 166
Appropriation for ... 452
Canada, payment to, for account of Janet Hardcastle Ross, authorized ... 130
Appropriation for ... 768
Charles Carroll of Carrollton Bicentenary Commission ... 10
Chile, payment to, for account of Enriqueta Koch v. de Jeanneret, authorized ... 130
Appropriation for ... 769
China, payment to, for accounts of certain citizens, authorized ... 130, 131, 132, 133
Appropriation for ... 768
Civilian Conservation Corps, authorized ... 322
Appropriation for ... 470
Cohan, George M., medal ... 231
Cooperative Farm Forestry Act, authorized ... 188
Crop production loans, 1937, authorized ... 7
Appropriation for ... 11
Delaware Valley Tercentenary Commission ... 272
District of Columbia—
Airport Commission ... 10
Boiler inspection and regulation ... 11
Dominican Republic, payment to, for account of Mercedes Martinez Viuda de Sanchez, authorized ... 132
Appropriation for ... 769
Ellsworth, Lincoln, medal ... 231
Fishing industry, purchase and distribution of products of, authorized ... 27
Funds made available for ... 61
Fort Niagara, N. Y., reconstruction expenses, authorized ... 128
Appropriation for ... 452
France, payment to, for account of Henry Borday, authorized ... 219
Appropriation for ... 768

Appropriations—Continued. Page

General Anthony Wayne Memorial Commission, authorized 696
Golden Gate International Exposition Commission, authorized 490
Appropriation for 759
Government Losses in Shipment Act, fund for replacement of losses, authorized 479
Appropriation for 471
Great Britain—
Moosa, N. J., payment as indemnity for injuries to, authorized 129
Appropriation for 768
Richardson, Samuel, payment for account of estate of, authorized 134
Appropriation for 768
Shanghai Electric Construction Co., Ltd., payment for account of, authorized 129
Appropriation for 768
Great Lakes Exposition, participation, authorized 61
Appropriation for 215, 758
Housing Act of 1937, United States, authorized 897
Appropriation for 772
Insect pest and plant disease control, authorized 57
Appropriation for 120, 514
Inter-American Radio Conference, participation expenses, authorized 749
Appropriation for 770
International Congress of Architects, participation expenses, authorized 441
International Dairy Congress, Eleventh, participation expenses authorized 249
Appropriation for 770
International Exposition of Paris, 1937, participation by United States 22
International Labor Office, aid in defraying expenses of Technical Tripartite Textile Conference, 1937 29
International Road Congress, Eighth, 1938, participation expenses, authorized 750
Japan, payment to, as share of expense of deportation of enemy aliens from China, World War, authorized 199
Appropriation for 769
Joint Committee on Government Organization 9
Lake of the Woods, payment of claims for damages, water level fluctuations, authorized 843
Marine Band, attendance at—
Grand Army Encampment, 1937, authorized 543
Appropriation for 768

Appropriations—Continued. Page

Marine Band, attendance at—Contd.
United Confederate Veterans' 1937 Reunion, authorized 200
Appropriation for 250
Mexico, payment to, for account of Gen. Higinio Alvarez, authorized 131
Appropriation for 769
Military posts, construction, rehabilitation, etc., authorized 857
National Bituminous Coal Commission, authorized 91
Appropriation for 567
National Cancer Institute Act, authorized 561, 562
Appropriation for 772
Naval air station, San Francisco Bay, Calif., authorized 239
Netherlands, payment to, for account of family of Miguel Paula, authorized 129
Appropriation for 768
New York World's Fair, authorized 495
Appropriation for 759
Nicaragua, payment to, for account of Mercedes V. de Williams, and others, authorized 133
Appropriation for 769
Pan American Exposition, authorized 832
Pan American Sanitary Conference, Tenth, participation expenses, authorized 198
Reclamation projects, investigation of financial, etc., conditions, authorized 738
Appropriation for 764
Red-cedar shingles, collection and publication of statistics on, authorized 205
Relief and work relief 10
San Francisco, Calif., acquisition of land for cemeterial purposes, War Department, authorized 256
Santa Rosa Band of Mission Indians, Calif., acquisition of land for, authorized 69
Appropriation for 763
Savanna Ordnance Depot, Ill., improvement of ammunition storage facilities, authorized 166
Shenandoah Memorial, Ava, Ohio, construction 775
Sioux Indians, Pine Ridge Reservation, S. Dak., authorized 441
Appropriation for 763
Sugar Act of 1937, administration expenses, authorized 915
Appropriation for 762
Technical Tripartite Textile Conference, 1937, aid in defraying expenses of 29
Thomas Jefferson Memorial Commission 759

Page

Appropriations—Continued.
Tulip, U. S. ship, memorial to officers, etc., Saint Inigoes Bay, Md., authorized 259
Appropriation for 767
United States Constitution Sesquicentennial Commission, additional, authorized 694
Appropriation for 756
Washington, D. C., model testing plant 111
World's Poultry Congress and Exposition, Seventh, participation expenses, authorized 550
Appropriation for 771
World War memorials, Europe, dedication expenses 324
Arbitration:
Appropriation for—
Boards, expenses 340
Bureau of Interparliamentary Union for Promotion of International, contribution 267
International Bureau of Permanent Court of, contribution 267
Arch Hurley Conservancy District, N. Mex., construction of reclamation project authorized 557
Architect of the Capitol. *See* Legislative Branch of the Government.
Architects, International Congress of:
Appropriation authorized for expenses of Fifteenth Congress 441
Invitation to foreign countries to participate 441
Archives. *See* National Archives.
Arecibo Harbor, Puerto Rico, improvement authorized 850
Argentina, appropriation for ambassador to 263
Arid and Semiarid Areas, water conservation, etc 869
Appropriations authorized 870
Conditions required 870
Location of facilities 869
Secretary of Agriculture, powers and duties 869, 870
Arizona:
Appropriation for—
Boulder Dam Recreational Area, Nevada and, administration, etc 607
Gila project, construction 595
Grand Canyon National Park, administration, etc 604
Indian irrigation projects 576
Indians, support, etc., of 572, 576, 577, 578, 580, 582, 584, 586, 589, 590
Salt River project, construction 595
Yuma project, operation, etc 593
Fort Huachuca, construction at, authorized 859

Page

Arizona—Continued.
Indian lands, restoration to tribal ownership 862
Mineral patents, deposit of rent by applicant; damages 863
Order withdrawing certain lands from mineral entry revoked 863
Rights-of-way, etc 863
Water developments, restriction on use 863
Papago Indian Reservation, area enlarged 536
Rivers and harbors, preliminary examinations authorized 879
Arkansas:
Hot Springs General Hospital, construction at, authorized 857
Hot Springs National Park, appropriation for administration, etc 605
Cession of jurisdiction accepted 243
Lake Village, bridge authorized across Mississippi River at 745
River and harbor improvements authorized 848
Preliminary examinations authorized 854, 878
Arkansas River, Okla., examination authorized 878
Arlington Farm, Va., appropriation for maintenance, etc 408
Arlington Memorial Bridge, appropriation for maintenance, etc 609
Arlington National Cemetery, Va., appropriation for maintenance 515
Arms, Ammunition, and Implements of War. *See also* Neutrality Act of 1935, Amendments.
Spain, prohibition on exportation to 3
Army. *See also* War Department.
Aliens, reenlistment of, who have declared intention to become citizens 696
Filipinos, serving on July 1, 1937 696
Assignment of officers as inspectors, etc., of buildings abroad 273
Civilian Conservation Corps, detail of Reserve officers to active duty with 320
Courts martial, investigation before trial; review provisions modified 724
Disbursing officers, credit in accounts for certain rental payments, personnel on National Guard duty 724
Shipment of automobiles, appropriation for 238
Helium, requisition of, from Bureau of Mines 886
Reserve officers and Enlisted Reserves, pension laws for peace-time service extended to 305

Army—Continued. Page
Spanish-American War, Philippine Insurrection, and Boxer Uprising, honorable discharges to veterans discharged for age, etc., misrepresentation 203
Stenographic reporters, enlisted men, extra pay for 805
Army and Navy General Hospital, Ark., construction at, authorized 857
Army and Navy Hospital, Hot Springs, Ark., appropriation for construction and repair 454
Army Disbursing Officers, appropriation for payment of claims of certain 18, 783
Army Medical Museum, appropriation for 444
Army War College, appropriation for 445
Arrow Rock, Mo.:
Missouri River, bridge authorized across, at 630
Time extended for bridging 201
Arroyo Colorado, Tex., examination authorized 854
Arroyo Grande Creek, Calif., examination authorized 880
Articles of War, Amendments:
Courts martial:
Investigation before trial 724
Review provisions modified 724
Ashley River, S. C., improvement authorized 847
Ashtabula Harbor, Ohio, improvement authorized 849
Assateague Channel, Va., examination authorized 852
Astoria, Oreg., time extended for bridging Columbia River at 563
Astronomical Union, International, appropriation for contribution 268
Astrophysical Observatory, appropriation for maintenance 342
Atchison, Kans., time extended for bridging Missouri River at 24
Atlanta, Ga., appropriation for penitentiary maintenance, etc 280
Atlantic Coast, appropriation for survey expenses 292
Atlantic County, N. J., examination of inland waterway through, authorized 852
Attorney General. *See* Justice, Department of.
Audited Claims, deficiency appropriation for 16, 219, 234, 777
Austria, appropriation for minister to 263
Ava, Ohio, erection of Shenandoah Memorial; location modified 557
Appropriation for construction 775
Aviation Conference, Lima, Peru, balance continued available for 272
Aviation Day, National, 1937, designation of 202

B

Bachman, Nathan L., appropriation for payment to widow of 135
Back Bay, Miss., examination authorized 854
Back Creek, Md., improvement authorized 846
Back Sound, N. C., channel from, to Lookout Bight, improvement authorized 847
Bad River, S. Dak., examination authorized 879
Bailiffs, United States Courts, appropriation for salaries, etc 279
Baker, Francis J., payment of claim 18
Baker Island, appropriation for administrative expenses 614
Baltimore Harbor and Channels, Md., examination authorized 852
Baltimore, Md., appropriation for hydrographic office expenses 118
Bankhead-Jones Act, appropriation for payments under 398, 400
Extension of, to Puerto Rico 881
Bankhead-Jones Farm Tenant Act:
Corporations, transactions with 530
County committees, appointment, etc 529
Farmers' Home Corporation, creation, powers, etc 527
Administrative provisions 528
Farm tenant provisions 522
Appropriation authorized 524
Appropriation for 762
County committees and loans 523
Loans, term of 523
Equitable distribution of 524
Production expansion, avoidance of 524
Secretary of Agriculture, powers of 522
Fees and commissions, prohibition on 532
Foreclosure, bids at 531
Penalty provisions 531
Real property sales, reservations by United States 530
Rehabilitation loans 524
Appropriation authorized 525
Borrowers and terms 524
Debt adjustment 525
Resettlement projects 530
Separability of provisions 533
Set-off of indebtedness against payments, restriction 531
Submarginal land, retirement of 525
Appropriation authorized 526
Appropriation for 762

Page

Bankhead-Jones Farm Tenant Act—Con.
Submarginal land, retirement of—Con.
Counties, payments to 526
Land program, powers of Secretary 525
Program 525
Surveys and research 531
Taxation of property 531
Territories, extension of provisions to 532
Transfer of lands 530
Variable payments 531
Bankhead, William B., appropriation for procurement of portrait of 9
Bank Robbery Statutes, burglary and larceny added 749
Bankruptcy Act of 1898, Amendments:
Corporate reorganizations, lease or sale of property of debtor 622
Taxing agencies, composition of indebtedness, additional jurisdiction 654
Compositions, petition for 655
Acceptance by creditors before confirmation 657
Approval; notice of hearing to creditors, etc 656
Definitions 654
Termination of jurisdiction 659
Bankruptcy Proceedings, prohibition on certain agreements fixing compensation, appointment of certain persons as receivers, etc 810
Banks and Banking. *See* Federal Reserve Act, Amendments.
Banks for Cooperatives. *See* Farm Credit Act of 1933, Amendments.
Barksdale Field, La., appropriation for improvements 452
Barnegat Inlet, N. J., improvement authorized 845
Barryville, N. Y., time extended for bridging Delaware River at 746
Battenkill, N. Y., examination authorized 878
Bayou Carlin, La., improvement authorized 848
Bayou Dupre, La., improvement authorized 847
Bayou La Loutre, La., improvement authorized 847
Bayou Legare, Miss., examination authorized 854
Bayou Macon, La., examination authorized 878
Bayou Meto Basin, Ark., examination authorized 878
Bayou Petit Anse, La., improvement authorized 848
Bayou Saint Malo, La., improvement authorized 847
Bayou Savage, La., portion declared nonnavigable in New Orleans 649

Page

Bayou Teche, La., examination authorized 854
Bayou Tigre, La., improvement authorized 848
Bayou Ysclosky, La., improvement authorized 847
Bay River, N. C., improvement authorized 846
Bear River Migratory Bird Refuge, appropriation for maintenance 420
Beaufort County, S. C., conveyance of Hunting Island Lighthouse Reservation to 651
Beaufort Harbor, N. C., improvement of waterway connecting Pamlico Sound 846
Beaufort Inlet, N. C.:
Examination of waterway to Norfolk, Va., authorized 853
Improvement authorized 847
Beaufort, S. C., improvement of waterway between Saint Johns River, Fla., and 847
Beaulac, Willard L., payment to 272
Beaumont, Tex., portion of improvement project, Sabine-Neches Waterway, abandoned at 856
Beaver Bay, Minn., establishment of Coast Guard station at, authorized 546
Beaver River, Okla., examination authorized 878
Bee Culture, appropriation for 417
Belgium, appropriation for ambassador to 263
Belhaven Harbor, N. C., examination authorized 853
Belle Fourche Project, S. Dak., appropriation for construction 595
Bellingham Harbor, Wash., improvement authorized 849
Beltsville Research Center, appropriation for 432
Benicia Harbor, Calif., examination authorized 855
Benton Harbor Canal, Mich., declared nonnavigable, Benton Harbor, Mich. 243
Improvement project abandoned 243
Benton, Ill., term of court provided at 624
Beresford Creek, S. C., examination authorized 853
Big Piney Creek, Ark., examination authorized 878
Big Sandy River, Ariz., examination authorized 879
Big Suamico River, Wis., improvement authorized 848
Bills or Statements of Account, produced by mechanical process, postage rate on 119
Bill Williams River, Ariz., examination authorized 879

Page

Biological Investigations, appropriation for 419
Biological Sciences, International Union of, appropriation for contribution 268
Biological Survey, Bureau of. *See* Agriculture, Department of.
Biologic Products, appropriation for regulation of sale of 149
Birt, Ed, payment to 769
Bituminous Coal Act of 1937:
Bituminous Coal Code 76
Intrastate commerce, transactions in, affecting interstate commerce, subject to code 83
Marketing 77
Minimum-price-area table 78
Organization 76
Unfair methods of competition 81
Bituminous Coal Conservation Act of 1935 repealed 90
Combination between producers for disposal of competitive coals unlawful unless code accepted 88
Definitions 90
Duration of Act 90
Effective dates 90
Excessive coal prices, complaints to Commission 90
Labor provisions 87
National Bituminous Coal Commission established in Department of the Interior, composition, etc 72
Appropriations authorized; funds available 91
Appropriation for 567
Consumers' counsel, establishment of office of; duties, etc 74
Studies and investigations by 89
Testimony, etc., securing of 86
Transfer of records, etc., to 91
Organization of the code, duties of the Commission 83
Reports and accounts of producers; penalty for failure to file 88
Review of district board actions 85
Schedule of districts 91
Separability of provisions 89
Tax on coal 75
Tax provisions, laws applicable to 86
Transportation costs, complaints to Interstate Commerce Commission respecting 90
Bituminous Coal Commission, National. *See* Bituminous Coal Act of 1937.
Bituminous Coal Conservation Act of 1935, repeal of 90
Black Bass Law, appropriation for enforcement 296

Page

Blackfeet Indian Reservation, Mont., relinquishment of certain lands held for reclamation purposes to; expenditure authorized 864
Black River, Ark. and La., improvement authorized 848
Black River, Wis., improvement authorized 848
Blair, Harry W., restrictions respecting certain counsel waived in favor of 805
Blind:
Adult, appropriation for books for 183, 215
Increase in annual appropriation 72
Aid to, grants to States 345
Postage, special rates provided for certain publications for 66
Seeing-eye dogs, etc., accompanying, free transportation permitted 475
Blister Rust Control, appropriation for 417
Blue Ridge Parkway, appropriation for continuing construction 608
Board of Tax Appeals, appropriation for 331
Boeuf River, La., examination authorized 878
Boiler Inspection and Regulation, D. C. *See* District of Columbia.
Bolivia, appropriation for minister to 263
Bolling Field, D. C., appropriation for improvements 452
Boise Project, Idaho, appropriation for operation, etc 593, 595
Bonneville Project:
Accounts of operations; report to Congress 736
Administration, appropriation for 764
Contracts and purchases 735
Definitions 733
Electric energy, disposal of 732
Negotiation of contracts for sale at wholesale for resale or direct consumption 734
Preferences 733
Rates, preparation of schedule; approval 735
Determination with regard to fact that power created as incident to dam construction 735
Personnel; experts, salary restriction 736
Purposes declared 731
Receipts covered into Treasury; fund for emergency, etc., expenses 736
Suits authorized 736
Borday, Henry, appropriation authorized for payment to France for account of 129
Appropriation for 768
Boston, Mass.:
Appropriation for—
Hydrographic office expenses 118
Pneumatic-tube service 161
Harbor, examination authorized 851
Improvement authorized 845

Botanic Garden: Page
Appropriation for 181
Restriction on distribution of nursery stock by congressional allotment 181
Botany, appropriation for investigations 408
Bottling in Bond Act, Amendments:
Bottle stamps 487
Issuance of 488
Regulations by Commissioner of Internal Revenue 488
Brands, etc., on cases 488
Boulder Canyon Project, appropriation for continuing construction 596
Boulder Dam Recreational Area, Ariz.-Nev., appropriation for administration, etc 607
Boxer Uprising, honorable discharges to veterans discharged for age, etc., misrepresentation 203
Boyer River, Iowa, examination authorized 879
Boy Scouts of America:
Obsolete, etc., War Department material, disposal to, authorized 167
World Jamboree—
Loan of Army equipment 68
Passports, issuance of, without fees 69
Tax on steamship tickets, remission of 69
Bramblet, Cordy, conveyance of certain land to 747
Brazil, appropriation for ambassador to 263
Brazos Island Harbor, Tex., improvement authorized 848
Brazos River, Tex., examination authorized 854, 878
Breckinridge County, Ky., conveyance of certain land to State, authorized 638
Bridgeport, Conn.:
Burr Creek, portion declared nonnavigable in 632
Harbor improvement authorized 845
Bridges:
Caddo Parish, La., bridge construction authorized in 697
Cascade Locks and Hood River, Oreg., alterations directed to improve navigation facilities 648
Construction of, authorized across—
Cambridge Creek, at Cambridge, Md 633
Columbia River, Puget Sound-Cathlamet, Wash 251
Coosa River, at Gilberts Ferry, Ala 27
Merrimack River, at—
Haverhill, Mass 168
Lowell, Mass 543
Mississippi River, at Lake Village, Ark 745
Missouri River, at—
Arrow Rock, Mo 630
Poplar, Mont 542

Bridges—Continued. Page
Construction of, authorized across—Con.
Ohio River, at Owensboro, Ky 641
Pearl River, at Jackson, Miss 244
Piscataqua River, at Portsmouth, N. H 535
Potomac River, at—
Frederick County, Md.-Loudoun County, Va 250
Hancock, Md 476
Shepherdstown, W. Va 475
Sinepuxent Bay, at Ocean City, Md 801
Wabash River, at Lockport, Ind 542
White River, at Eagle Rock, Mo 20
Time extended for bridging—
Allegheny River, at Pittsburgh, Pa 245
Columbia River, at—
Astoria, Oreg 563
The Dalles, Oreg 27
Delaware River, at—
Barryville, N. Y.-Shohola, Pa 746
Trenton, N. J 21
Lake Michigan, opposite entrance of Chicago River, Ill 244
Lake Sabine, at Port Arthur, Tex 630
Michigan Canal, Chicago, Ill 244
Mississippi River, at—
La Crosse, Wis 94
Natchez, Miss 562
New Orleans-Gretna, La 631
St. Louis, Mo.-East St. Louis, Ill 244
St. Louis, Mo.-Stites, Ill 251
Missouri River, at—
Arrow Rock, Mo 201
Atchison, Kans 24
Brownville, Nebr 28
Decatur, Nebr.-Onawa, Iowa 48
Garrison, N. Dak 48
Niobrara, Nebr 477
Omaha, Nebr 471
Rulo, Nebr 167
St. Charles, Mo 201
South Sioux City, Nebr.-Sioux City, Iowa 48
Mobile Bay, Cedar Point and Dauphin Island, Ala 250
Monongahela River, at—
Dravosburg-McKeesport, Pa 245
Pittsburgh, Pa 245
Rankin-Whitaker, Pa 245
Ogden Slip, Chicago, Ill 244
Ohio River, Rockport, Ind.-Owensboro, Ky 243
Potomac River, at Dahlgren, Va 241
Puget Sound, at The Narrows, Wash 474
St. Lawrence River, at Ogdensburg, N. Y 631
Savannah River, at Lincolnton, Ga 28
Snake River, Clarkston, Wash.-Lewiston, Idaho 477

Page

Bridges—Continued.
Time extended for bridging—Contd.
Wabash River, at Merom, Ind 475
Youghiogheny River, at McKeesport, Pa 245
Toll, on Federal-aid highways, aid to States in making certain, free bridges 640
Bristol Bay, Alaska, commercial salmon fishing, residence requirements 639
Broadway Road, Va., examination of channel to Onancock River, authorized 852
Bronx Kills and Harlem River, N. Y., examination authorized 851
Brownville, Nebr., time extended for bridging Missouri River at 28
Bruceton, Pa., appropriation for maintenance, etc., mining experiment station 601
Bryce Canyon National Park, Utah, appropriation for administration, etc 604
Buchanan, James P., payment to widow of 214
Buckhannon River, W. Va., examination authorized 879
Budget, Bureau of the. *See* Treasury Department.
Buffalo Creek, N. Y., preliminary examination authorized 546
Buffalo, N. Y.:
Appropriation for hydrographic office expenses 118
Scajaquada Creek declared nonnavigable in 165
Bulgaria, appropriation for minister to 263
Bureau Creek, Ill., examination authorized 879
Bureau of Interparliamentary Union for Promotion of International Arbitration, appropriation for contribution 267
Burglary, offense added to bank-robbery statute 749
Burnt River, Oreg., examination authorized 880
Burr Creek, Conn., portion declared nonnavigable in Bridgeport 632
Burwells Bay, Va., examination authorized 853
Business Privilege Tax, D. C. *See* District of Columbia, Revenue Act of 1937.
Byrns, Joseph W., appropriation for procurement of portrait of 9

C

Cabinet Gorge, Columbia River, hydroelectric power surveys directed 638
Appropriation for 764

Page

Caddo Parish, La., construction of certain bridges authorized 697
Calcasieu River and Pass, La., improvement authorized 848
California:
Appropriation for—
Central Valley project, construction 597
General Grant National Park, administration, etc 604
Indians—
Irrigation projects 577
Landless, purchase of land for 573
Support, etc., of 573, 577, 578, 580, 582, 584, 586
Klamath project, operation, etc 594
Construction 595
Lassen Volcanic National Park, administration, etc 605
Marine school maintenance 99
Orland project, construction, etc., work 595
Operation, etc 593
San Bernardino, Kern, and Los Angeles Counties, acquisition of land for bombing and gunnery range 452
Sequoia National Park, administration, etc 605
Yosemite National Park, administration, etc 606
Yuma project, operation, etc 593
Alameda, acquisition of land for naval air station, amendment of Act providing for 56
Capitan Grande Band of Mission Indians, reservation of certain public lands, for benefit of 72
Central Valley project, jurisdiction transferred to Department of the Interior 850
Fort McArthur, construction at, authorized 860
Inyo and Mono Counties, exchange of certain lands, etc., in, with Los Angeles, for benefit of Indians 70
Los Angeles and San Gabriel Rivers, flood control project extended 167
Oakland, disposition of post office building and sale of site 65
Conveyance of portion to city authorized 65
Presidio of San Francisco, construction at, authorized 860
River and harbor improvements authorized 849
Preliminary examinations authorized 855, 879, 880
San Diego, exchange of certain lands with, authorized 25
Santa Maria River, preliminary examination authorized 166

California—Continued. Page
Santa Rosa Band of Mission Indians, acquisition of land for use of; appropriation authorized 69
Appropriation for 763
Yosemite National Park, acquisition of lands for addition to 485
Appropriation for 764
California Débris Commission, appropriation for 516
Caloosahatchee River Drainage Area, Fla., examination authorized 853
Caloosahatchee River, Fla., improvement authorized 847
Calumet River, Ill., portion declared nonnavigable in Chicago 258
Cambridge Creek, Md., bridge authorized across, at Cambridge 633
Cambridge Harbor, Md., improvement authorized 846
Cambridge, Md., bridge authorized across Cambridge Creek at 633
Cameron, Cecile C., payment to 771
Camp Dennison Cemetery, Ohio, sale authorized 616
Camp Joseph T. Robinson, Ark., designation of Camp Pike changed to 862
Camp Pike, Ark., designation changed to Camp Joseph T. Robinson 862
Camp Stanley, Tex., improvement of ammunition storage facilities, appropriation authorized 166
Appropriation for 452
Canada:
Appropriation for—
International Boundary Commission, United States, Alaska, and 270
Minister to 263
Convention for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, effecting provisions of. *See* Northern Pacific Halibut Act of 1937.
Greater Texas and Pan American Exposition, invitation to participate, authorized 19
Red-cedar shingles, collection and publication of statistics on imports from 204
Ross, Janet Hardcastle, appropriation authorized for payment for injuries to 130
Appropriation for 768
Smelter Fumes Controversy, Arbitration of, United States and, balances continued available for 229
Canal Zone:
Appropriation for—
Civil government, expenses 519
District court 277

Canal Zone—Continued. Page
Appropriation for—Continued.
Goethals, Maj. Gen. George W., erection of memorial to 520
Hospital care, Army officers, etc 457
Maintenance and operation, expenses 519
Retirement and disability fund 332
Sanitation and quarantine, hospitals, etc 520
Waterworks, etc., Panama and Colon 520
Availability of appropriations 521
Citizenship, persons born of American parent on or after Feb. 26, 1904 558
Parent an employee of Panama Railroad Co 558
Code Amendments—
Air navigation, control over aviation activities 486
Penalty for violation 486
Divorce actions, service of summons by publication, when 510
Employer not bound to indemnify employee, when; textual correction 510
Entry or importation of articles or merchandise, offenses in relation to; penalty for violation 509
Highways and vehicles, violation of regulations, penalty 510
Judgments, interest on 510
Marriages, application and issuance of license; fee 510
Motor vehicles, reckless driving causing bodily injury, penalty 510
Oaths, administration of 486
Panama Railroad Company, carriage of marine and fire insurance by 511
Personnel, appointment, removal, etc 487
Mechanics, weekly compensation of 487
Salary restriction 487
Preliminary hearing, admission to bail 510
Public defender, appointment, compensation, etc 511
Retirement annuities, certain former employees of Panama Canal and Panama Railroad Co 619
Tolls, measurement of vessels for purpose of determining 750
Passenger tolls 751
Construction at, authorized 862
Governor, selection of cadets for United States Military Academy by 534
Inland Waterways Corporation, capital stock, appropriation repealed 521
Canal Zone Code. *See* Canal Zone, Code Amendments.
Canal Zone Retirement Act, cash relief for certain employees not coming under provisions of 478

Page

Canal Zone Retirement and Disability Fund, appropriation for 332
Canaveral Harbor, Fla., examination authorized 853
Cancer Advisory Council, National. *See* National Cancer Institute Act.
Cape Fear River, N. C., improvement authorized 847
Cape Hatteras National Seashore, N. C.:
Establishment, area, location, etc 669
Administration 670
Bird refuge continued 670
Donations, acceptance of 669
Permanent reservation as a wilderness 670
Cape May County, N. J., examination of inland waterway through, authorized 852
Cape Spartel and Tangier Light, Morocco, appropriation for contribution 267
Capital Auditorium Commission, establishment; composition; duties, etc 20
Report to Congress 20
Capitan Grande Band of Mission Indians, reservation of certain public lands, Calif., for benefit of 72
Capitol Buildings and Grounds, appropriation for maintenance, etc 179
Capitol Police:
Appropriation for salaries, uniforms, etc 178
December salaries to be paid on Dec. 20 199
Standards prescribed for appointment 178
Capitol Power Plant, appropriation for furnishing heat, etc., to designated buildings 180
Carlisle Barracks, Pa., construction at, authorized 858
Carlsbad Caverns National Park, N. Mex., appropriation for administration, etc 604
Carlsbad Project, N. Mex., appropriation for construction 595
Carrabelle Bar and Harbor, Fla., improvement authorized 847
Carriers. *See also* Carriers Taxing Act of 1937.
Appropriation for—
Arbitration boards 340
Emergency boards 340
Property valuation 216, 337
Reduced transportation rates authorized in cases of disaster 809
Retirement of employees, etc. *See* Railroad Retirement Act of 1937.
Safety systems, etc., installation of 835
Seeing-eye, etc., dogs accompanying blind persons, free transportation permitted 475
Tax on carriers and employees, extension of, until June 30, 1938 23

Page

Carriers Taxing Act of 1937. *See also* Railroad Retirement Act of 1937.
Collection and payment of taxes 439
Court jurisdiction 439
Definitions 435
"Employment" as defined in Social Security Act not to include service performed in employ of carrier 439
Employee representatives, tax on 438
Employees, income tax on 437
Employers, excise tax on 437
Income tax, deductibility from 439
Repeal of prior tax act 440
Rules and regulations 440
Separability of provisions 440
Short title 440
Carson City, Nev., appropriation for education of Indians 582
Carter Lake, Iowa and Nebr., examination authorized 854
Carter Seminary, Okla., appropriation for education of Indians 583
Cary, Glover H., payment to widow of 9
Cascade Locks, Oreg., bridge alterations directed to improve navigation facilities 648
Cashie River, N. C., improvement authorized 846
Casper-Alcova Project, Wyo.:
Appropriation for construction 595
Designation changed to Kendrick 595
Catano Range Rear Lighthouse Reservation, portion transferred to Puerto Rico 672
Cathlamet, Wash., bridge authorized across Columbia River at 251
Cattle, Diseased, appropriation for elimination of 432
Cattle Ticks, appropriation for eradication 405
Caustic Poison Act, appropriation for enforcement 428
Cavalry, Chief of. *See* War Department.
Cavalry School, Fort Riley, Kans., appropriation for expenses 459
Cave Hill National Cemetery, Louisville, Ky., sale authorized 616
Cayuga Creek, N. Y., preliminary examination authorized 546
Cazenovia Creek, N. Y., preliminary examination authorized 546
Cedar City, Utah, post office site, additional land for 775
Cedar Creek, N. J., examination authorized 852
Cedar Point, Ala., time extended for bridging Mobile Bay at 250
Cedar River, Iowa, examination authorized 879

Page

Census, Bureau of the. *See also* Commerce, Department of.
Red-cedar shingles, collection and publication of statistics concerning---- 204
Census of Unemployment, etc., taking of, provided for; completion on or before April 1, 1938---------- 883
Central Bank for Cooperatives. *See* Farm Credit Act of 1933, Amendments.
Central Statistical Board, appropriation for- 331
Central Valley Project, Calif.:
Appropriation for construction-------- 597
Jurisdiction transferred to Department of the Interior---------- 850
Cereal Crops and Diseases, appropriation for investigations---------- 408
Chamberlain, S. Dak., construction, etc., of tourist cabins, amusement, etc., facilities on American Island, authorized- 623
Chanute Field, Ill., construction at, authorized---------- 858
Chapman Field, Fla., settlement of outstanding claims against, authorized-- 135
Chariton River, Iowa and Mo., examination authorized---------- 879
Charles Carroll of Carrollton Bicentenary Commission:
Appropriation for---------- 10
Authority to fix compensation and determine expenditures---------- 694
Charleston, S. C., appropriation for repairs, etc., Navy Yard---------- 110
Charlotte Harbor, Fla., improvement authorized---------- 847
Cheboygan Harbor, Mich., improvement authorized---------- 849
Chelsea River or Creek, Mass., improvement authorized---------- 845
Chemawa, Salem, Oreg., appropriation for education of Indians---------- 583
Chemical Warfare Service. *See* War Department.
Chemistry and Soils, Bureau of. *See* Agriculture, Department of.
Chemistry, International Union of, appropriation for contribution---------- 268
Cherokee Indian Reservation, N. C., exchange of certain lands within, for lands within Great Smoky Mountains National Park---------- 699
Cherry Creek, Colo., examination authorized---------- 879
Chesapeake Bay, Del. and Md., examination of inland waterway from, to Delaware River, authorized---------- 852
Chetco River, Oreg., examination authorized---------- 880
Cheyenne River Reservation, S. Dak., appropriation for purchase of lands-- 573

Page

Chicago, Ill.:
Appropriation for hydrographic office expenses---------- 118
Ogden Slip, time extended for bridging-- 244
Chicago River, Ill., time extended for bridging, opposite entrance---------- 244
Chickamauga Dam, appropriation for continuing construction---------- 217
Chickasaw Indians, Okla.:
Dormitory properties, sale of certain, authorized---------- 537
Reservation of minerals in future land sales---------- 810
Chicopee River, examination authorized-- 878
Chief Inspector, Office of. *See* Post Office Department.
Childhood, American International Institute for the Protection of, appropriation for contribution---------- 267
Children, Dependent, aid to, appropriation for grants to States---------- 344
Children's Bureau. *See* Labor, Department of.
Chile:
Appropriation for ambassador to------ 263
Jeanneret, Enriqueta Koch v. de, appropriation authorized for payment for account of---------- 130
Appropriation for---------- 769
Chillicothe, Ohio, appropriation for industrial reformatory---------- 281
Chilocco, Okla., appropriation for education of Indians---------- 583
China:
Appropriation for—
Ambassador to---------- 263
Monuments, etc., to American soldiers, maintenance---------- 515
United States Court for---------- 277
Amoy, sale of lot situated at, authorized- 246
Deportation of enemy aliens from, World War, payment to Japan authorized as share of expense of-- 199
Appropriation for---------- 769
Indemnity for injuries, etc., to certain citizens of, appropriation authorized for payment of-----130, 131, 132, 133
Appropriation for---------- 768
China Trade Act, appropriation for administration---------- 285
Chincoteague Bay, Va.:
Examination authorized---------- 852
Improvement authorized---------- 846
Chippewa Indians, Minn.:
Appropriation for—
Education---------- 581
Hospitals, support---------- 222
Chiu Chui Irrigation Project, Ariz., appropriation for---------- 576

	Page
Choctaw Indians, Okla.:	
Appropriation for fulfilling treaty obligations	590
Reservation of minerals in future land sales	810
Choptank River, Md., examination authorized	852
Cimarron River, Okla.:	
Examination authorized	878
Studies directed for development of reclamation projects	718
Citizenship and Naturalization. *See also* Aliens.	
Alien World War veterans, naturalization of certain, residing in United States, extension of privilege	743
Army, reenlistment of aliens who have declared intention to become citizens	696
Filipinos, serving on July 1, 1937	696
Canal Zone, persons born on or after Feb. 26, 1904 in, of American parent	558
Parent an employee of Panama Railroad Co	558
Citizens' Military Training Camps, appropriation for	466
Citrus Canker Eradication, appropriation for	416
Civilian Conservation Corps:	
Appropriation for	470
Deficiency appropriation for payment of judgments	777
Blood transfusions, payment for	470
Director's office, limitation on expenditures for salaries, etc., increased	757
Employees, continuance of employment of certain, without reappointment	470
Establishment, purposes, etc	319
Appropriation authorized	322
Civilian personnel	320
Claims arising out of Corps operations, adjustment of	321
Cooperative agreements with States, etc	321
Detail of officers for active duty with	320
Director, appointment, etc	319
Effective date	322
Emergency Conservation Work, transfer of personnel, property, etc., to Corps	320
Enrollees—	
Allowances; disability, etc., compensation	321
Maximum number; war veterans; Indians	320
Qualifications; compensation; allotments to dependents	320
Government departments, etc., utilization of services and facilities	321
Surplus property, disposal of	321
Transfer of funds to Treasury Department for check-clearing, etc., expenses, authorized	773
Civil Service Act of 1883, Amendment, no discrimination in appointments, etc., because of marital status	533
Civil Service Commission:	
Appropriation for	331
Retirement and disability funds	332
Actuarial services, expenditures authorized for	332
Application for examination, certificate of residence to accompany	168
Details of employees from executive departments, etc., to, forbidden	332
Transfer of employees to or from field or office force	332
Civil Service Retirement Act of 1930, Amendment:	
Legislative and judicial branches, benefits extended to certain employees	512
Automatic separation, exemption from certain provisions relating to	513
Effective date	514
"Employee" defined	513
Evidence of certain employment prior to July 1919	513
Notice of acceptance to be given	512
Senate employees, acceptance and date of entering into force; deposits	513
Civil-Service Retirement and Disability Fund, appropriation for	332
Civil Works Administration:	
Appropriation for employees' compensation fund	333
Deficiency appropriation for damage claims	232, 775
Disbursing officers, credits allowed in accounts of certain, for overpayments of wages on projects	804
Clackamas County, Oreg., conveyance of certain lands to, for park purposes	840
Claims, Court of. *See* Justice, Department of; United States Courts.	
Clarkston, Wash., time extended for bridging Snake River at	477
Clarksville, Tenn., examination authorized for flood protection	878
Clatskanie River, Oreg., examination authorized	880
Cleveland, Ohio:	
Appropriation for hydrographic office expenses	118
Harbor improvement authorized	849
Clinton Harbor, Conn., examination authorized	851
Clinton River, Mich., examination authorized	879

Coachella Valley Irrigation Project, Calif., appropriation for ---- Page 577
Coal. *See* Bituminous Coal Act of 1937.
Coan River, Va., improvement authorized ---- 846
Coast and Geodetic Survey. *See* Commerce, Department of.
Coast Artillery, Chief of. *See* War Department.
Coast Artillery School, Fort Monroe, Va., appropriation for expenses ---- 460
Coast Guard. *See also* Treasury Department.
- Air station at San Francisco Airport authorized; acquisition of land; construction, etc ---- 260
- Aviation shore stations, restriction on use of funds for construction, etc., of new ---- 146
- Civilian Conservation Corps, detail of Reserve officers to active duty with ---- 320
- Distinguished flying cross, provisions for awarding, extended to ---- 549
- Enlistments ---- 547
  - Extension by voluntary agreement ---- 548
  - Temporary detention beyond term ---- 548
  - Term; regulations governing ---- 547
- Filipinos, waiver of residence requirements after certain service in ---- 548
- Marine hospitals, etc., medical care of personnel; Act repealed ---- 548
- Northern Pacific Halibut Act of 1937, enforcement of provisions by ---- 327
- Ordnance property, sales of, to officers for use in public service ---- 65
- Public Health Service, medical care by, of personnel ---- 548
- Retired officers—
  - Captains, grade above to be rear admiral (lower half) ---- 252
  - Commandant, retirement, pay, etc ---- 252
  - Commodore, rank abolished ---- 252
  - Exception to restriction on holding certain other public office extended to ---- 549
  - Pay adjustment of certain, retired because of disability incurred in line of duty in war time ---- 550
- Stations, establishment of, at—
  - Beaver Bay, Minn ---- 546
  - Dauphin Island, Ala ---- 640
  - Fort Myers, Fla ---- 639
  - Lake Pontchartrain, La ---- 169
  - Maine coast ---- 259
  - Manistique, Mich ---- 325
  - Menominee, Mich ---- 325
  - Pass-a-Grille, Fla ---- 169
  - Saint Augustine, Fla ---- 546
  - Tybee Island, coast of Georgia ---- 205

Coast Guard Academy:
- Bachelor of science degree may be conferred upon living graduates ---- 477
- Cadets, initial clothing allowance ---- 549
- Permanent instruction staff established; appointments ---- 66
- Advisory committee, appointment, duties, etc ---- 67
- Assignment of officers, etc., to instruction duty ---- 67
- Civilian instructors, appointment, pay, etc ---- 67
- Existing provisions repealed; restriction on present appointees ---- 68
- Congressional Board of Visitors, appointment, duties, etc ---- 67
- Funds available for expenses ---- 67
- Rank, pay, etc ---- 66
- Retirement ---- 67

Coast Pilot, appropriation for compilation ---- 293
Codification Board. *See* Federal Register Act, Amendment.
Cohan, George M., appropriation for medal for ---- 231
Cohansey River, N. J., improvement authorized ---- 845
Coins and Coinage:
- Antietam, Battle of, commemorative coinage authorized ---- 306
- Minor coin metal fund, amount increased ---- 647
- Norfolk, Va., commemorative coinage, three-hundredth anniversary of original land grant, etc ---- 322

Collectors of Customs, deficiency appropriation for payment of judgments against ---- 783
Collectors of Internal Revenue, deficiency appropriation for payment of judgments against ---- 776
Collinsville, Ala., appropriation for river and harbor works ---- 516
Collinsville Cut, Calif., examination authorized ---- 855
Colombia, appropriation for minister to ---- 263
Colorado:
- Appropriation for—
  - Colorado-Big Thompson project, construction ---- 595
  - Indian irrigation projects ---- 577
  - Indians, support, etc., of ---- 577, 584, 590
  - Mesa Verde National Park, administration, etc ---- 605
  - Pine River project, construction ---- 595
  - Rocky Mountain National Park, administration, etc ---- 605
- Air Corps Technical School, construction at, authorized ---- 857
- Fitzsimons General Hospital, construction at, authorized ---- 859
- Rivers and harbors, preliminary examinations authorized ---- 878, 879

Page

Colorado-Big Thompson Project, Colo., appropriation for construction 595

Colorado River:
- Appropriation for flood-control projects, Ariz 580
- Examination authorized, Tex 854

Colorado River Basin Investigations, appropriation for 596

Colorado River Indian Reservation, appropriation for irrigation 222, 578

Columbia and Lower Willamette Rivers, Oreg. and Wash., improvement authorized 849

Columbia Basin, prevention of speculation in lands prospectively irrigable by construction of Grand Coulee Dam project 208

Columbia Institution for the Deaf, D. C., appropriation for 615

Columbia National Forest, Wash., lands added 622

Columbia River:
- Bridge construction authorized, Puget Island-Cathlamet, Wash 251
- Bridges, Cascade Locks and Hood River, Oreg., alterations directed to improve navigation facilities 648
- Cabinet Gorge, hydroelectric power surveys directed 638
- Appropriation for 764
- Examination authorized 855
- Improvement authorized 849
- Time extended for bridging, at—
  - Astoria, Oreg 563
  - The Dalles, Oreg 27

Columbia, Tenn., requirement for court accommodations at, modified 546

Colville Indian Reservation, Wash., appropriation for flood control 580

Colville Irrigation Project, Wash., appropriation for 577

Command and General Staff School, Fort Leavenworth, Kans., appropriation for 445

Commerce, Department of. *See also* Secretary of Commerce.
- Appropriation for—
  - Air Commerce, Bureau of 284
    - Aircraft in commerce 284
    - Air-navigation facilities 284
    - Safety and planning 285
  - Census, Bureau of the 288
    - Sixteenth census, preparatory expenses 288
    - Social Security Act, searching records and supplying information 288
  - Coast and Geodetic Survey 292
  - Contingent expenses 283

Page

Commerce, Department of—Continued.
- Appropriation for—Continued.
  - Fisheries, Bureau of 294
    - Alaska, general service 296
    - Black-bass law, enforcement 296
    - Fishery industries, statistical studies 295
    - Fishery market news service 296
    - Food fishes inquiry 295
    - Mississippi Wild Life and Fish Refuge 296
    - Propagation of food fishes 294
    - Whaling Treaty Act, expenses 296
  - Foreign and Domestic Commerce, Bureau of 285
    - Customs statistics, collecting, etc 286
    - District and cooperative office service 286
    - Domestic commerce and raw materials investigations 286
    - Export industries, investigations and reports 286
    - Foreign Commerce Service 287
  - Lighthouses, Bureau of 291
  - Marine Inspection and Navigation, Bureau of 289
  - Patent Office 297
  - Printing and binding 284
  - Salaries 283
  - Standards, Bureau of 289
    - Building materials, investigation of 290
    - Research and development 290
    - Standards for commerce 290
    - Testing, inspection, and information service 290
  - Traveling expenses 283
- Deficiency appropriation for—
  - Audited claims 17, 234, 778, 781
  - Coast and Geodetic Survey 220
  - Damage claims 15, 232, 775
  - Fisheries, Bureau of 220
  - Judgments 16
  - Lighthouses, Bureau of 220, 763
  - Marine Inspection and Navigation, Bureau of 136
  - Secretary, Office of 219, 762
    - Accident Prevention Conference 762
    - Traveling expenses 762
  - Standards, Bureau of 220

Accident Prevention Conference, appropriation authorized for furtherance of work of 631
- Appropriation for 762

Alaska, oyster cultivation, leasing of bottoms for, authorized 557

Anastasia Island Lighthouse Reservation, Fla., disposal of portion of, amendment of Act providing for 64
- St. Augustine, conveyance of portion to 65

Commerce, Department of—Continued. Page
Catano Range Rear Lighthouse Reservation, portion transferred to Puerto Rico 672
Copy editors, details from Government Printing Office, amount available for 284
Crooked River Range Lighthouse Reservation, Fla., additional strip conveyed to State 667
Gaithersburg, Md., acceptance of certain land in 659
Guanica Lighthouse Reservation, P. R., exchange of, for adjacent land 694
Hawaii, exchange of certain lighthouse sites, Island of Maui, authorized 632
Horton Point Lighthouse Reservation, N. Y., conveyance to Southold Park District 667
Lighthouse Service—
Damage to aids to navigation by private persons, collection of repair cost, etc 667
Keepers, continuation of existing classification and pay system 840
Organization; settlement of damage claims, etc 667
Rivers, harbors, etc., establishment of aids to navigation authorized 667
Sunken watercraft, marking of, for protection of navigation; payment of cost 666
Marine Inspection and Navigation, Bureau of, transfer of certain funds authorized 324
Palisades Interstate Park, N. Y., conveyance of certain property to 549
Payment forbidden to persons after nomination rejected by Senate 302
Twin River Point Lighthouse Reservation, conveyance to State of Wisconsin 545
Washington, transfer of certain lands to, for highway purposes 665
Commissioner of Internal Revenue, further extensions of time for filing returns under title III of Revenue Act of 1936, authorized 29
Commissioners, United States Courts, appropriation for fees, etc 278, 766
Commodities Act, 1930. *See* Perishable Agricultural Commodities Act, 1930, Amendments.
Commodity Credit Corporation:
Continuation of, until June 30, 1939 5
Authority to incur obligations 5
Funds continued available for 347
Commodity Exchange Act, appropriation for enforcement 12, 427
Communications Act of 1934, Amendments: Page
Definitions 189
Effective dates 197
Federal Communications Commission—
Administrative assistance, designation of officers within and without United States 191
Annual report to Congress, recommendations 190
Great Lakes, etc., investigation of radio requirements for ships navigating on 197
Installations, inspection of 191
Investigations and studies 190
Rules and regulations respecting radio 191
Suspension of licenses 190
Purposes declared 189
Radio equipment and radio operators on board ship 192
Certificates 195
Control by Commission 196
Exceptions 192
Forfeitures 196
Provisions relating to 197
Inspections 196
Installations, approval of 194
Lifeboats 194
Master, authority of 195
Operators, watches, and auto-alarms 193
Ship radio installations and operators 192
Technical requirements 193
Transmission of information 195
Stations, intercommunication in mobile service 191
Distress signals, transmission of 191
Transmitting apparatus, requirements for operation of 56
Automatic radio devices, etc 56
Communications Commission. *See* Federal Communications Commission.
Comptroller General. *See* General Accounting Office.
Comptroller of the Currency, Office of. *See* Treasury Department.
Conciliation Commissioners, appropriation for 278, 298
Conemaugh River, Pa., examination authorized 879
Conewango Creek, N. Y., examination authorized 878
Confederate Cemeteries, appropriation for care, etc., of 515
Confederated Bands of Ute Indians, payment to 573
Conference on Extraterritorial Rights in Egypt, appropriation for participation 228
Conference on Oil Pollution of Navigable Waters, balances continued available for 229

Conference to Revise Convention for Protection of Literary and Artistic Works, balances continued available for ..... Page 228

Congress. *See also* Legislative Branch of the Government.

Agricultural programs, participation in, by Members 838

Agriculture, expression of views of, as to program for relief and benefit of 754

Annual reports to be submitted to, by/on—

American Chemical Society 800

Bonneville dam project, transmission and sale of electric energy 736

Federal Communications Commission 190

Gorgas Memorial Laboratory 267

Helium production fund, account of receipts and disbursements 887

Housing Authority, United States 891

Marine Corps League 559

National Bituminous Coal Commission, consumers' counsel 75

National Cancer Institute Act, administration of 562

National Munitions Control Board 126

Helium exports, information concerning licenses granted to be included 887

Railroad Retirement Board 315

Soil Conservation and Domestic Allotment Act 329

Wildlife-restoration projects, expenditures, etc., by Secretary of Agriculture 919

"During the session" construed 177

Employees, December salaries to be paid Dec. 20 199

Interstate compacts, consent given to—

Maine-New Hampshire Interstate Bridge Authority, creation of 538

Minimum wage, etc., Mass., N. H., and R. I 633

Oil and gas, continuance of compact for conservation of 617

Palisades Interstate Park Commission, creation of, New York and New Jersey 719

Potomac Valley conservancy district, consent given to negotiation for creation of 884

Pymatuning Lake, relating to, Ohio and Pennsylvania 865

Yellowstone River, division of waters, Mont. and Wyo 551

Special reports to be submitted to, by/on—

Capital Auditorium Commission 20

District of Columbia, survey of tax structure 693

Congress—Continued. Page

Special reports to be submitted to, by/on—Continued.

Emergency Relief Appropriation Act of 1937, operations under 357

General Anthony Wayne Memorial Commission 696

Golden Gate International Exposition 493

Greater Texas and Pan American Exposition Commission 61

Great Lakes and inland waters, radio requirements for ships navigating on, by Federal Communications Commission 197

International Dairy Congress, Eleventh 249

Joint Committee on Government Organization 8

New York World's Fair Commission 496

Pan American Exposition 834

Reclamation projects, investigation of financial, etc., conditions 737

Special attorneys, Department of Justice, list and amount of fees paid, etc 278

Congressional Cemetery, D. C., appropriation for maintenance 515

Congressional Directory, appropriation for preparation 178

Connecticut:

Burr Creek, portion declared nonnavigable in Bridgeport 632

Connecticut River Valley reservoir system, plans for flood-control modified 204

Park River declared nonnavigable 201

River and harbor improvements authorized 845

Preliminary examinations authorized 851

Connecticut River, examination authorized 851, 878

Connecticut River Valley Reservoir System, flood-control plans modified 204

Connery, William P., payment to widow of 756

Constitution Sesquicentennial Commission. *See* United States Constitution Sesquicentennial Commission.

Construction and Repair, Bureau of. *See* Navy Department.

Contentnea Creek, N. C., examination authorized 853

Contingent Expenses:

Appropriation for—

Agriculture, Department of 396

Commerce, Department of 283

District of Columbia 363

Executive Office 330

General Accounting Office 335

Contingent Expenses—Continued. Page
Appropriation for—Continued.
House of Representatives 177
Interior, Department of 565
Justice, Department of 273
Labor, Department of 298
Library of Congress 183
Navy Department 97, 117
Post Office Department 156
Senate 173
State, Department of 262
Foreign Service 265
Treasury Department 138
War Department 443
Deficiency appropriation for—
District of Columbia 12, 217
House of Representatives 9
Justice, Department of 223, 765
State, Department of 768
Foreign Service 228
Treasury Department—
Accounts and Deposits, Office of Commissioner of 14
Coast Guard 14
Continuous Discharge Book. *See* Seamen.
Contractors. *See* Government Contractors.
Convention Relating to Liquor Traffic in Africa, appropriation for contribution 268
Cooperative Farm Forestry Act:
Federal cooperation in development in States and Territories 188
Appropriation authorized 188
Coosa River, bridge authorized across, at Gilberts Ferry, Ala 27
Coos Bay Wagon Road Lands:
Conservation management of timberlands under Federal jurisdiction 874
Classification of lands for agricultural purposes; restoration to entry 875
Cooperative agreements authorized 874
Grazing, lease of land for; use of receipts 875
Payment of portion of proceeds from sales of 221, 570
Copyrights:
Protection of foreign, at—
Golden Gate International Exposition 211
New York World's Fair 1939 254
Corkscrew River (Horse Creek), Fla., examination authorized 878
Cornish, Melven, compensation for services 589
Cornucopia Harbor, Wis., improvement authorized 848
Corozal General Depot, Panama, construction at, authorized 861
Corpus Christi, Tex., examination authorized for protection of 854
Costa Rica, appropriation for minister to 263
Cotton: Page
Appropriation for—
Diseases, investigations 408
Futures and Standards Acts, administration 426
Ginning investigations 423
Grade and staple statistics, collection 426
Insect control 417
Sea Island, experimentation in 408
Classification of, authorized upon request by producer groups 62
Collection and publication of information on supply, demand, market prices, etc 62
Cotton Act, 1934, appropriation for refund of taxes erroneously, etc., collected under 230
Cotton Producers, funds available for price adjustment payment to 762
Counterfeiting, appropriation for suppression of 147
Country Hospital, Shanghai, China, payment to 769
County Committees. *See* Bankhead-Jones Farm Tenant Act.
Courts. *See* Justice, Department of; United States Courts.
Courts Martial:
Investigation before trial 724
Review provisions modified 724
Craig Harbor, Alaska, examination authorized 855
Crater Lake National Park, Oreg., appropriation for administration, etc 604
Crawford County, Iowa, transfer of, from southern to northern judicial district 474
Credit Union Act, Federal, Amendment, space in Federal buildings for credit unions 487
Crescent City Harbor, Calif., improvement authorized 849
Crescent Lake, Fla., examination of waterway from, authorized 853
Crimes and Misdemeanors. *See also* Criminal Code.
Alaska, establishment, etc., of native reindeer industry; penalty provisions 901, 902
Bankhead-Jones Farm Tenant Act, penalty provisions 531
Bank robbery statute, burglary and larceny added 749
Canal Zone, air navigation regulations, penalty for violation 486
Canal Zone. *See* Canal Zone, Code Amendments.
Continuous discharge books, unlawful acts 50, 51

Crimes and Misdemeanors—Continued. Page
Copyrights, infringement of, foreign exhibitors, Golden Gate International Exposition 213
New York World's Fair 255
Crop production loans, unlawful acts in connection with 7
District of Columbia:
Alcoholic Beverage Control Act, Amendments, penalty provision 803
Blindness, prevention of, in infants born in; penalty provisions 120
Business privilege tax, penalty provisions 691
Embezzlement, etc 629
False pretenses 628
Grand larceny 628
Larceny after trust 629
Motor vehicles, registration of, unlawful acts 682
Petit larceny; order of restitution 628
Potatoes, marking of grade on package, etc.; penalty provision 626
Property, movable, malicious burning, etc 629
Real estate brokers, etc., regulation, penalty provisions 797
Trees, malicious cutting down or destroying 629
Vending machines, unauthorized use, manufacture, etc., of tokens; penalty 663
Emergency Relief Appropriation Act of 1937, false statements to defraud, penalty 356
Helium, export provisions or regulations, penalty for violation 887
Housing Act of 1937, United States, penalty provisions 899
Interstate Commerce Act, Amendment, installation of safety systems, penalty for violation 837
Marihuana Tax Act of 1937, penalty provisions 556
Narcotic laws, punishment of second, third, and subsequent offenders 627
Neutrality Act of 1935, Amendments 122, 124, 126, 128
Northern Pacific Halibut Act of 1937, penalty provisions 328
Patents, infringement of, foreign exhibitors, Golden Gate International Exposition 213
New York World's Fair 255
Perishable Agricultural Commodities Act, 1930, Amendments; penalty for counterfeiting, etc., certificate of inspection 731
Philippine Islands, High Commissioner to, false statements, etc., in oath before, penalty 621

Crimes and Misdemeanors—Continued. Page
Railroad Retirement Act of 1937, penalty provisions 316
Receivership, etc., proceedings, appointment of certain persons as receivers prohibited, penalty 810
Red-cedar shingles, collection and publication of statistics on, penalty provisions 205
Sugar Act of 1937, penalty provisions 915, 916
Criminal Code. *See also* Crimes and Misdemeanors.
Amendment—
Death penalty, State law to govern manner of infliction 304
Exemption from limitation on counsel—
Blair, Harry W., employment of 805
Smelter-fumes controversy, Trail, B. C 198
Crisfield Harbor, Md., improvement authorized 846
Crissy Field, Calif., restriction on use of funds for expenses incident to use of 456
Crooked River Range Lighthouse Reservation, Fla., conveyance of strip to State 667
Crop and Livestock Estimates, appropriation for collecting, etc., data 424
Crop Production Loans, 1937. *See* Farmers.
Crow Indian Reservation, Mont.:
Appropriation for—
Flood control 580
Irrigation system, maintenance, etc 578
Elimination of certain land from 884
Crystal Cave, Ky., exclusion from Mammoth Cave National Park authorized 871
Cuba:
Appropriation for—
Ambassador to 263
Monuments, etc., to American soldiers, maintenance 515
Ordnance and supplies, sale of, to Government, provisions repealed; effective date 126
Sugar Act of 1937, basis of determination of quota under 905
Liquid sugar, quota established 908
Cucamonga Creek, Calif., examination authorized 880
Culion, P. I., appropriation for transfer of lepers to, from Guam 97
Cumberland County, N. J., examination of inland waterway through, authorized 852
Cumberland River, Tenn., examination authorized 879
Customs and Patent Appeals, Court of. *See* Justice, Department of.
Customs, clearance of vessels, at certain ports, at night, Sundays, etc 303

Page

Customs, Bureau of. *See* Treasury Department.

Customs Court, United States. *See* Justice, Department of.

Customs Service, Northern Pacific Halibut Act of 1937, enforcement of provisions by 327

Customs Statistics, appropriation for collecting, etc 286

Customs Tariffs, International Bureau for Publication of, appropriation for contribution 267

Cuttyhunk Harbor, Mass., improvement authorized 845

Cypress Creek, Md., improvement authorized 846

Czechoslovakia:
Appropriation for—
Minister to 263
Prague, remodeling legation at 266

D

Dahlgren, Va.:
Appropriation for school at ordnance station 104
Time extended for bridging Potomac River at 241

Dairy Industry, Bureau of. *See* Agriculture, Department of.

Dallas, Tex.:
Exposition at. *See* Greater Texas and Pan American Exposition.
Parcel-post building site, exchange of certain lands in connection with 206

Damage Claims, deficiency appropriation for 15, 232, 775

Dauphin Island, Ala.:
Coast Guard station establishment authorized 640
Time extended for bridging Mobile Bay at 250

Death Penalty, State law to govern manner of infliction 304

Decatur, Nebr., time extended for bridging Missouri River at 48

Deep Creek, Va., improvement authorized 846

Defective Delinquents, United States Hospital for, appropriation for 281

Deficiency Appropriation Act, Fiscal Year 1937, First:
Appropriation for—
Agriculture, Department of 12
Commodity Exchange Act, enforcement 12
Forest Service 12
Audited claims 16
Charles Carroll of Carrollton Bicentenary Commission 10
Damage claims 15

Deficiency Appropriation Act, Fiscal Year 1937, First—Continued. Page
Appropriation for—Continued.
District of Columbia 11
Boiler inspection and regulation 11
Contingent, etc., expenses 12
Employees' compensation fund 11
Fire Department 12
Register of Wills 11
District of Columbia Airport Commission 10
Emergency Conservation Work 10
Farm Credit Administration 11
Federal Communications Commission 11
Interior, Department of 12
War Minerals Relief Commission 12
Judgments, against collectors of customs 18
Court of Claims 16
United States Courts 15
Justice, Department of 12
Attorney General, Office of 12
Rules in actions at law, preparation of 13
United States Courts 13
Labor, Department of 13
Secretary, Office of 13
Legislative Branch of the Government 8
Architect of the Capitol 9
House of Representatives 9
Joint Committee on Government Organization 9
Senate 8
Navy Department 13
Secretary, Office of 13
Post Office Department 13
Second Assistant Postmaster General, Office of 13
Relief and work relief 10
Treasury Department 14
Accounts and Deposits, Office of Commissioner of 14
Budget, Bureau of the 14
Coast Guard 14
Engraving and Printing, Bureau of 14
Procurement Division—Public Buildings Branch 14
Secretary, Office of 14
Veterans' Administration 11
War Department 15
Quartermaster Corps 15
Secretary, Office of 15
Congressional investigations and inquiries, restriction on payment of compensation from relief funds of persons not taken from relief rolls 10
Health and sanitation activities, flood-stricken areas, allocation of funds for, authorized 21

Deficiency Appropriation Act, Fiscal Year 1937, First—Continued.	Page
Salary limitation, special Congressional committees, repealed	9
Deficiency Appropriation Act, Fiscal Year 1937, Second:	
Appropriation for—	
Army disbursing officers, credits for shipments of automobiles	238
Audited claims	234
Commerce, Department of	219
Coast and Geodetic Survey	220
Fisheries, Bureau of	220
Lighthouses, Bureau of	220
Secretary, Office of	219
Standards, National Bureau of	220
Damage claims	232
District of Columbia	217
Audited claims	219
Contingent and miscellaneous expenses	217
Courts	218
Judgments	219
Public schools	217
Public welfare	218
Refund of assessments	218
Federal Communications Commission	215
Great Lakes Exposition	215
Interior, Department of	221
Education, Office of	223
Freedmen's Hospital	223
General Land Office	221
Government in the Territories	223
Indian Affairs, Bureau of	221
National Park Service	222
Interstate Commerce Commission	215
Judgments, against collectors of customs	238
Court of Claims	233
United States Courts	233
Justice, Department of	223
Attorney General, Office of	223
Courts, expenses	224
Federal Bureau of Investigation	223
Penal and correctional institutions	225
Labor, Department of	225
Immigration and Naturalization Service	225
Women's Bureau	225
Legislative Branch of the Government	214
Architect of the Capitol	214
House of Representatives	214
Library of Congress	214
Senate	214
United States Constitution Sesquicentennial Commission	214
National Advisory Committee for Aeronautics	216

Deficiency Appropriation Act, Fiscal Year 1937, Second—Continued.	Page
Appropriation for—Continued.	
National Mediation Board	216
Navy Department	226
Naval Observatory	226
Navigation, Bureau of	226
Secretary, Office of	226
Yards and Docks, Bureau of	226
Post Office Department	226
Chief Inspector, Office of	226
First Assistant Postmaster General, Office of	227
Postmaster General, Office of	226
Second Assistant Postmaster General, Office of	227
Third Assistant Postmaster General, Office of	227
Private property damage, military personnel	238
State, Department of	227
International obligations, etc	228
Tennessee Valley Authority	217
Treasury Department	229
Coast Guard	230
Customs, Bureau of	230
Internal Revenue, Bureau of	230
Mint, Bureau of the	231
Narcotics, Bureau of	230
Printing, Division of	229
Procurement Division—Public Buildings Branch	231
Secretary, Office of	229
War Department	231
Engineers, Corps of	232
Finance Department	232
Salaries	231
Reenlistment allowance to enlisted men, restriction on payment	232
Deficiency Appropriation Act, Fiscal Year 1937, Third:	
Appropriation for—	
Agriculture, Department of	761
Agricultural land resources, conservation and use of	761
Bankhead-Jones Farm Tenant Act	762
Cotton producers, price adjustment payment to	762
Dairy Industry, Bureau of	761
International Production Control Committees	762
Plant Industry, Bureau of	761
Sugar Act of 1937, administration	762
Audited claims	777
Civilian Conservation Corps	757
Commerce, Department of	762
Lighthouses, Bureau of	763
Secretary, Office of	762
Damage claims	775

Deficiency Appropriation Act, Fiscal Year 1937, Third—Continued.	Page
Appropriation for—Continued.	
District of Columbia	759
Electric Home and Farm Authority	757
Executive Office	757
Federal Communications Commission	757
Federal Housing Administration	758
Golden Gate International Exposition Commission	759
Great Lakes Exposition	758
Independent Offices	757
Interior, Department of	763
Education, Office of	765
Government in the Territories	765
Indian Affairs, Bureau of	763
Mines, Bureau of	764
National Park Service	764
Reclamation, Bureau of	764
Secretary, Office of	763
Judgments	776
Justice, Department of	765
Courts, United States—	
Marshals, clerks, etc., fees and expenses	766
Supreme Court, United States	766
Investigation, Federal Bureau of	766
Penal institutions	766
Printing and binding	765
Labor, Department of	766
Secretary, Office of	766
Legislative Branch of the Government	755
Architect of the Capitol	757
Government Printing Office	757
House of Representatives	756
Senate	755
United States Constitution Sesquicentennial Commission	756
Maritime Commission, United States	759
National Capital Park and Planning Commission	758
National Labor Relations Board	758
Navy Department	767
Marine Corps	768
Naval vessels, replacement	767
Secretary, Office of	767
Yards and Docks, Bureau of	767
New York World's Fair Commission	759
Post Office Department	768
Second Assistant Postmaster General, Office of	759
Social Security Board	768
State, Department of	759
Special Mexican Claims Commission	768
Thomas Jefferson Memorial Commission	771

Deficiency Appropriation Act, Fiscal Year 1937, Third—Continued.	Page
Appropriation for—Continued.	
Treasury Department	771
Accounts and Deposits, Office of Commissioner of	772
Coast Guard	772
Narcotics, Bureau of	772
Marihuana Tax Act of 1937, enforcement	772
Procurement Division, Public Buildings Branch	773
Public Health Service	772
Secretary, Office of	771
Treasurer of the United States, Office of	772
War Department—Civil Functions	775
Delaware:	
Fort DuPont, construction at, authorized	858
River and harbor improvements authorized	845, 846
Preliminary examinations authorized	852
Delaware River:	
Examination authorized	878
Improvement authorized	845
Time extended for bridging, at—	
Barryville, N. Y	746
Trenton, N. J	21
Delaware River, Del. and Md., examination of inland waterway from, to Chesapeake Bay, authorized	852
Delaware River Valley Tercentenary:	
Commission, appropriation for expenses	272
Invitation to Finland to participate	813
Denmark, appropriation for minister to	263
Denver, Colo.:	
Appropriation for mint	151
Air Corps Technical School, establishment of branch at	862
De Poe Bay, Oreg., improvement authorized	849
Deportation. *See* Aliens.	
Deschutes River, Oreg., examination authorized	880
Desert-Land Entrymen, time extended for offering final proof	303
Detroit, Mich.:	
Appropriation for—	
Hydrographic office expenses	118
River postal service	158
Detroit River, Mich., improvement authorized	848
Digest of Public General Bills, appropriation for printing, etc	214
Disarmament Conference, General, Geneva, Switzerland, balances continued available for	228

Disaster Loan Corporation, establishment — Page 19
Corporate powers — 19
Loans authorized for flood, etc., relief in 1937 — 19
Extended to disasters in 1936 — 211
Subscription of stock by Reconstruction Finance Corporation — 19
Discharge Book. *See* Seamen.
Diseased Cattle, appropriation for elimination of — 432
Diseases and Sanitation Investigations. *See* Social Security Act.
Distilled Spirits. *See* Bottling in Bond Act, Amendments.
Distinguished Flying Cross, provisions for awarding, extended to Coast Guard — 549
District of Columbia:
Appropriation for—
Alley Dwelling Authority — 333
Anacostia Park, development of — 385
Contingent and miscellaneous expenses — 363
Central Garage — 364
Emergency fund — 364
Employment Service — 364
Erroneous collections, refund of — 365
Wharves — 365
Courts — 377
Court of Appeals — 378
District Court of the United States for the District of Columbia — 378
Juvenile Court — 377
Miscellaneous — 379
Municipal Court — 378
Police Court — 377
Electrical Department — 367
Expenses, general — 359
Alcoholic Beverage Control Board — 360
Assessor's office — 360
Auditor's office — 360
Buildings, care, etc — 360
Collector's office — 360
Coroner's office — 360
Corporation Counsel, office of — 360
Deeds, Recorder of — 362
Employees' Compensation Fund, D. C — 362
Engineer Department, Chief Clerk, office of — 361
Executive office — 359
Poundmaster, office of — 360
Smoke and boiler regulation — 360
Insurance, Department of — 361
Minimum Wage Board — 362
Municipal Architect's office — 361
Public Utilities Commission — 361
Steam Engineers, Board of Examiners — 361
Surveyor's office — 361

District of Columbia—Continued. Page
Appropriation for—Continued.
Expenses, general—Continued.
Public convenience stations — 360
Vehicles and Traffic, Department of — 362
Weights, Measures, and Markets, office of Superintendent of — 361
Wills, Register of — 362
Fire Department — 374
Miscellaneous — 374
Health Department — 375
Materials, supplies, etc., purchase of — 394
Metropolitan Police — 373
House of Detention — 374
Militia — 385
National Capital Park and Planning Commission — 386
National Capital Parks — 385
General expenses — 385
Park police, pay, etc — 386
Salaries — 385
Playgrounds — 367
Police and firemen's relief — 374
Printing and binding — 364
Public Library — 365
Public Welfare — 379
Board of Public Welfare — 379
Child Welfare, Division of — 379
Columbia Hospital and Lying-In Asylum — 382
Columbia Polytechnic Institute — 384
District Training School — 382
Ex-service men, burial of — 384
Florence Crittenton Home — 383
Home for Aged and Infirm — 382
Indigent persons, transportation of — 384
Industrial Home School — 382
Industrial Home School for Colored Children — 382
Insane, nonresident — 384
Jail — 380
Municipal Lodging House — 383
National Library for the Blind — 384
National Training School for Boys — 381
National Training School for Girls — 381
Public assistance — 383
Saint Elizabeths Hospital — 384
Soldiers and sailors, temporary home for former — 383
Southern Relief Society — 384
Vocational rehabilitation — 384
Workhouse and Reformatory, administration — 380
Public Works Administration, repayment of loan from — 365
Refuse, collection and disposal — 366
Schools, public — 368
Americanization work — 368
Buildings and grounds — 369, 371

District of Columbia—Continued. Page
Appropriation for—Continued.
Schools, public—Continued.
Community Center Department 369
Deaf, dumb, and blind 370
Miscellaneous 369
Night schools 368
Sewers 366
Street and road improvement and repair 387
Vocational rehabilitation, disabled residents 611
Water service 391
Washington Aqueduct 391
Zoological Park, National 386
Deficiency appropriation for—
Assessments, refund of 218
Audited claims 219, 234, 761, 778
Boiler inspection and regulation 11
Claims, payment of 760
Contingent, etc., expenses 12, 217
Courts 218
Supreme Court, miscellaneous expenses 760
District Training School 760
Employees' Compensation Fund 11
Fire Department 12
Guthrie, Charles R., payment of judgment 760
Industrial Home School 760
Judgments 219, 760
Old-age want, assistance against 760
Public schools 217, 760
Public welfare 218
District Training School 218
Home for Aged and Infirm 218
Industrial Home School for Colored Children 218
Tuberculosis hospital and sanatorium 218
Workhouse and reformatory 218
Saint Elizabeths Hospital 218, 760
Sherwood Brothers, Inc., payment of judgment 760
Tax structure, survey of 759
Vocational rehabilitation 765
Washington Petroleum Products, Inc., payment of judgment 760
Weights, measures, etc., office of superintendent of 760
Wills, Register of 11
Adoption proceedings, jurisdiction conferred on District Court; conditions required 806
Consent provisions, adoptee 807
Decree of adoption, findings required 807
Notice to Vital Statistics Bureau 807
Records open only on court order 808
Relationship of adoptee to adoptor; inheritance rights, etc 808
Advance of funds to, authority for 692

District of Columbia—Continued. Page
Albert Gallatin, statue of, selection of site and erection of pedestal authorized 260
Alcoholic Beverage Control Act, Amendments—
Importations, limitation on; exceptions 803
Penalty provisions 803
Licenses—
Retailers, advertisement of application for 802
Separate application for each place of business 803
Suspension of, posting of notice on premises 803
Alley Dwelling Authority, funds available for, under United States Housing Act of 1937 899
Asphalt plant, purchase authorized 389
Blindness, prevention of, in infants born in 120
Bowling alleys, Sunday closing hours 63
Capital Auditorium Commission, establishment; composition; duties, etc 20
Report to Congress 20
Central Heating Plant, furnishing of steam by, to buildings on Judiciary Square 95
Code Amendments—
Embezzlement, etc., penalty for 629
False pretenses, definition; penalty 628
Grand larceny, definition; penalty 628
Larceny after trust, penalty for 629
Petit larceny, definition; order of restitution; penalty 628
Property, movable, malicious burning, etc., penalty 629
Trees, malicious cutting down or destroying, penalty 629
Communism, repeal of provision relating to teaching of, in public schools 211
Congressional tags, issuance of, limited 394
Construction work, etc., under Commissioners 392
Court of Appeals for, representation of, on annual conference of senior circuit judges 473
Disbursements, credit allowed for designated 394
Division of expenses 12
Employees, pay granted to certain, for Jan. 20, 1937 56
Financial responsibility, motor vehicle operators; judgments and bonds, minimum amount eliminated 751
Fort Humphreys, construction at, authorized 859
Headquarters Provisional Brigade and Quartermaster Depot, construction at, authorized 861

District of Columbia—Continued.	Page
Healing Arts Practice Act, amendment, time limitation for filing application for license, repealed	620
Inaugural ceremonies, 1937, quartering of troops in certain public buildings	4
Judiciary Square, furnishing of steam from Central Heating Plant to buildings on	95
Marriage, age of consent increased	626
License, issuance of, time provision	626
Miscellaneous trust fund deposits, expenses payable from	393
Motor vehicle operators, financial responsibility for damages; judgments and bonds, minimum amount eliminated	751
Naval Hospital and Medical School, replacement of present facilities authorized	663
Pay increase by reallocation of position forbidden; exceptions	394
Potatoes, U. S. grade to be indicated on package	626
Certified seed potatoes excepted	626
Penalty provision	626
Potomac Valley conservancy district, consent of Congress given to negotiation of compact for creation of	884
Public schools, communism, repeal of provision relating to teaching of	211
Real estate brokers, etc., regulation of—	
Definitions and exceptions	787
Effective date	798
Enactment and prohibition clause	787
Exemptions	796
Fraudulent transfers or loans	796
Licensees, publication of list of	786
Licenses—	
Application for, requirements	789
Conviction of crime, revocation of	796
Details relating to	791
Qualifications for	789
Refusal of, procedure	791
Suspension or revocation, causes for	793
Hearing	794
Nonresident brokers and salesmen, provisions governing	795
Penalties	797
Real Estate Commission, creation of	788
Power to obtain evidence	796
Rentals, limitation on	394
Revenue Act of 1937—	
Advance of funds, authorization for	692
Antitrust laws, amendment to	693
Business privilege tax	688
Inheritance and estate taxes	683
Estate taxes	687
Inheritance tax	683

District of Columbia—Continued.	Page
Revenue Act of 1937—Continued.	
Insurance companies, tax on	675
Motor vehicle fuel tax Act, amendment to	676
Motor vehicles, registration fees for	679
Definitions	679
Effective date	683
Provisions not affected	682
Registration	680
Fees	681
Repeals	683
Unlawful acts	682
Personal property taxes, collection of	673
Regulations	693
Separability	693
Survey of tax structure; report to Congress	693
Tangible property, rate of tax on	692
Sales Act. *See* Uniform Sales Act, this title.	
Sixth Street, Northwest, closing of, within limits of site of National Gallery of Art, authorized	53
Snow removal, authority for	389
Southeastern University, incorporation approved	697
Tax structure, survey authorized	693
Unemployment Compensation Act, funds available for contributions as employer	393
Uniform Sales Act—	
Breach of contract, action for	44
Buyer, remedies of	45
Seller, remedies of	44
Formation of the contract	29
Conditions and warranties	32
Formalities of the contract	30
Price	31
Sale by sample	33
Subject matter of contract	30
Interpretation	46
Definitions	47
Effective date	48
Performance of the contract	38
Rights of unpaid seller against the goods	41
Resale by seller	43
Rescission by seller	43
Stoppage in transit	42
Unpaid seller's lien	41
Transfer of property as between seller and buyer	33
Transfer of title	35
Vehicles, horses, etc	393
Vending machines, etc.; use, manufacture, etc., of unauthorized tokens declared unlawful	662
Penalty for violation	663
Vocational rehabilitation, additional annual appropriation for, authorized	69

District of Columbia Airport Commission, appropriation for ... Page 10
District of Columbia Alley Dwelling Authority, funds continued available for ... 333
District of Columbia Code Amendments. *See* District of Columbia.
District of Columbia Revenue Act of 1937. *See* District of Columbia.
Dolls Creek, N. C., examination authorized ... 853
Domestic Commerce and Raw Materials Investigations, appropriation for ... 286
Dominican Republic:
Appropriation for minister to ... 263
Sanchez, Mercedes Martinez Viuda de, appropriation authorized for payment for account of ... 132
Appropriation for ... 769
Sugar Act of 1937, establishment of liquid sugar quota under ... 908
Dominion of Canada. *See* Canada.
Dorr, George B., appropriation for salary ... 604
Dravosburg, Pa., time extended for bridging Monongahela River at ... 245
Drug Plants, appropriation for investigations ... 408
Dry-Land Agriculture, appropriation for investigations ... 408, 761
Duck Point Cove and Tedious Creek, Md., examination authorized ... 852
Duffey, Warren J., payment to widow of ... 9
Dugdemonia Bayou, La., examination authorized ... 878
Duluth, Minn., appropriation for hydrographic office expenses ... 118
Dutch Elm Disease Eradication, appropriation for ... 417

E

Eagle Rock, Mo., bridge authorized across White River at ... 20
East Pass Channel, Fla., examination authorized ... 853
East St. Louis, Ill., time extended for bridging Mississippi River at ... 244
Eastside, Oreg., construction of dam, etc., at, authorized ... 856
Ecuador:
Appropriation for minister to ... 263
Alfaro, Olmedo, admission to U. S. Military Academy ... 303
Edenton Bay, N. C., examination of channel to Pembroke Creek, authorized ... 853
Edgartown Harbor, Mass., improvement authorized ... 845
Educational Exhibits, appropriation for preparation of ... 150
Education Association. *See* National Education Association of the United States.
Education, Office of. *See* Interior, Department of. Page
Egypt:
Appropriation for minister to ... 263
Conference on Extraterritorial Rights in, appropriation for ... 228
Eighth International Road Congress, 1938, appropriation authorized for participation expenses ... 750
Electric Home and Farm Authority:
Continuation of, until June 30, 1939 ... 5
Authority to incur obligations ... 5
Funds continued available for ... 348, 757
Eleventh International Dairy Congress, Berlin, Germany, appropriation authorized for participation expenses ... 249
Appropriation for ... 770
Elfin Cove, Alaska, examination authorized ... 855
Eli Cove, Md., examination authorized ... 852
Elizabeth River, Va., examination authorized ... 853
Ellsworth, Lincoln, appropriation for medal for ... 231
Elokomin Slough, Wash., improvement authorized ... 849
Emergency Banking Act, appropriation for administrative expenses ... 137, 138, 139, 143
Emergency Boards, appropriation for expenses of ... 340
Emergency Conservation Work:
Appropriation for ... 10
Employees' compensation fund ... 334
Transfer of personnel, property, etc., to Civilian Conservation Corps ... 320
Emergency Farm Mortgage Act of 1933, Amendments:
Land Bank Commissioner, loans by—
Joint-stock land banks, amount available for loans to ... 703
Nonagricultural purposes, refinancing indebtedness incurred for ... 708
Deferment of principal payments ... 708
Loans, interest rate limitation on loans under ... 521
Emergency Relief Appropriation Act of 1936, allocation of funds for health and sanitation activities, flood-stricken areas, authorized ... 21
Emergency Relief Appropriation Act of 1937:
Appropriation for relief and work relief ... 352
Administration, amount for ... 353
Balances reappropriated ... 353
Classes of projects; amounts ... 353
Increases authorized ... 353
Interchange of funds ... 353
Adjusted compensation payment not considered in determining need for employment ... 354
Administrative expenses ... 356

Page

Emergency Relief Appropriation Act of 1937—Continued.
- Aliens, restriction on employment of illegally entered 354
- Appointments, apportionment of 355
- States, from residents 355
- Apportionment and distribution to cover fiscal year 354
- Candidates, etc., for political office, restriction on payments to 355
- Citizens, preference to be given to 355
- World War and Spanish War veterans, preference to 355
- Disability or death compensation; availability of special fund 356
- State workmen's compensation laws, cases coming within purview of 356
- Employment of needy not heretofore listed 354
- False statements to defraud, penalty 356
- Federal Emergency Relief Administration, liquidation of 357
- Minor purchases without advertising 356
- Penal, etc., institution construction projects, restriction on use of funds for 357
- Prevailing rates of pay on projects 354
- Private employment, refusal to accept 353
- Resumption of status on expiration 354
- Report to Congress 357
- Resettlement Administration, expenditures for loans, etc., authorized by 353
- Rules and regulations by President 354
- Supervisory, etc., officers, appointment by President; confirmation by Senate 355
- Supplies, etc., special fund for purchase, etc., of 356
- Work forbidden unless sum for completion allocated 353
- Flood-control, etc., projects, exception 356

Emergent Appropriations, Fiscal Year 1937. *See also* Deficiency Acts.
- Appropriation for—
- Commerce, Department of 136
- Federal Trade Commission 135
- Interstate Commerce Commission 135
- Railroad Retirement Board 136
- Senate 135
- Treasury Department 136

Employees' Compensation Commission:
- Appropriation for 333
- Employees' compensation funds—
- Civil Works 333
- Emergency Conservation Work 334
- Emergency Relief 334

Employment Service. *See* United States Employment Service.

Page

Engineering, Bureau of. *See* Navy Department.

Engineers, Corps of. *See* War Department.

England. *See* Great Britain.

Engraving and Printing, Bureau of. *See also* Treasury Department.
- Additional building, completion of construction 774

Enlisted Reserves, pensions laws for peacetime service extended to members of 305

Entomology and Plant Quarantine, Bureau of. *See also* Agriculture, Department of.
- Insect pest and plant disease control, administration of appropriation for 58

Epidemics, appropriation for prevention of 149

Equatorial and South Sea Islands, appropriation for administration 614

Erie Harbor, Pa., examination authorized 855

Escanaba Harbor, Mich., examination authorized 854

Estate Taxes, D. C. *See* District of Columbia, Revenue Act of 1937.

Estero River, Fla., examination authorized 878

Estonia, Latvia, Lithuania, appropriation for minister to 263

Euchee, Okla., appropriation for education of Indians 583

Eufaula, Okla., appropriation for education of Indians 583

European Corn Borer Control, appropriation for 417

Everglades National Park, Fla., prohibition on expenditure of public money for administration, etc., eliminated 742

Executive Departments. *See also* Government Employees.
- Accounting, payment for metered services 119
- Annual, etc., reports, printing discontinued; originals to be kept on file 186
- Application for examination for appointment in, certificate of residence to accompany 168
- Arid and semiarid areas, water conservation, etc., cooperation by 870
- Arms, etc., for protection of public property, issue of, authorized at request of heads of 63
- Automobiles, cost limitation; use restricted to official business 163
- Civilian Conservation Corps, utilization of services and facilities by 321
- Civilian personnel stationed abroad, allotment of pay permitted 166
- Codification of documents; publication in special or supplemental editions of Federal Register 304

Executive Departments—Continued. Page
Disbursing officers, credits allowed in accounts for certain payments in fiscal years 1934, 1935 624
Employees, detail of, to Office of President 330
Exchange of used parts of certain equipment authorized 64
Golden Gate International Exposition, cooperation by 490
Government-owned establishments, obligation of funds for work at, authorized 245
Greater Texas and Pan American Exposition, cooperation by 59
Metered services, payment for 119
New York World's Fair, cooperation by 494
Oaths of office, renewals not required in certain cases 640
Pacific Mercado, participation by, authorized 835
Pan American Exposition, cooperation by 832
Printing and binding, payment for 185
Estimates to be included in single item in Budget 185
Shipments of valuables by. *See* Government Losses in Shipment Act.
Standards, Bureau of, scientific investigations for, by; transfer of funds 290
Tax Evasion and Avoidance, Joint Committee on, utilization of facilities by 254
Travel expenses of civilians when transferred; restriction 163
Executive Office. *See* Independent Offices.
Executive Orders. *See* President of the United States.
Experiment Stations, Office of. *See* Agriculture, Department of.
Export-Import Banks of Washington, D. C.:
Continuation of, until June 30, 1939 5
Authority to incur obligations 5
Funds continued available for 348
Export Industries, appropriation for investigations and reports 286
Exports, appropriation for certification, plants, etc 418
Extension of Appropriations Act, 1938:
Appropriations for last fiscal year continued for certain unprovided for operations 468
Appropriation of necessary sums for first half of July 1937 468
Proportionate amounts only to be expended 468
Availability of appropriations 469
Extension of, last half of July 1937 514

F Page
Fairhaven Harbor, Mass., improvement authorized 845
Fairport Harbor, Ohio, improvement authorized 849
Fajardo Harbor, Puerto Rico, examination authorized 855
Farm Credit Act of 1933, Amendments:
Banks for cooperatives, loans by, to cooperative associations 717
Central Bank for Cooperatives, powers, etc., conferred 717
Production credit corporations, location, etc 708
Farm Credit Act of 1937:
Agricultural Marketing Act, Amendments—
Farm Credit Administration, sale of property acquired on account of loans 717
Revolving fund, designated funds covered into 718
"Debenture" defined 718
District directors, etc., suspension and removal 707
Emergency Farm Mortgage Act of 1933, Amendments—
Land Bank Commissioner, loans by—
Joint-stock land banks, amount available for loans to 703
Nonagricultural purposes, refinancing indebtedness incurred for 708
Deferment of principal payments 708
Farm Credit Act of 1933, Amendments—
Banks for cooperatives, loans by, to cooperative associations 717
Central Bank for Cooperatives, powers, etc., conferred 717
Production credit corporations, location, etc 708
Farm credit districts, number, boundaries, etc 704
Board, composition, selection, etc 704
Powers 706
Federal Farm Loan Act, Amendments—
Farm loan associations—
Associations formed of ten or more borrowers 711
Common board of directors between two or more 710
Directors, terms of office modified 710
Failure to meet obligations; appointment of conservator 713
Loans, agreement to service between local associations 713
Loans where stock impaired 711
Prospective borrowers, election of 710

Page

Farm Credit Act of 1937—Continued
- Federal Farm Loan Act, Amendments—Continued.
  - Farm loan associations—Continued.
    - Territories, adjustment of boundaries 707
    - Voting, shareholders' meetings 710
  - Intermediate credit banks—
    - Annual earnings, disposition of 715
    - Debentures, collateral security for 715
    - Preparation and issue, regulations governing 715
    - Purchase of 715
    - Location in each farm credit district 707
    - Property, acquisition and disposal of 715
  - Land banks—
    - Bond committee, subcommittee authorized 709
    - Borrowers, transfer to Farm Mortgage Corporation permitted 710
    - Districts, provisions repealed 707
    - Examiners, designation changed 710
    - Farm credit board members ex officio directors of, in district 707
    - Loans, liquidation of debts incurred prior to Jan. 1, 1937 708
    - Powers 708
- Federal Farm Mortgage Corporation Act, Amendments—
  - Consolidated farm loan bonds, purchase of; loans to Federal land banks 703
  - Extension of unpaid obligations; interest rate 703
- Regional agricultural credit corporations, powers, etc., conferred 716
- Consolidation and merger of 717
- Reports on condition of institutions receiving loans, information from Government agencies 716
- Unexpended balances, use of certain, to constitute revolving fund 709

Farm Credit Administration:
- Appropriation for—
  - Federal Farm Mortgage Corporation 434
  - Printing and binding 433
  - Salaries and expenses 433
- Deficiency appropriation for crop production loans 11
- Crop production, etc., loans authorized during 1937 5
- Appropriation authorized 7
- Appropriation for 11
- Conditions prescribed 6
- Personnel; use of designated agencies, facilities, etc 6
- Unlawful acts 7

Farm Credit Administration—Continued Page
- Property acquired on account of loans, sale of 717

Farmers:
- Appropriation for—
  - Bulletins, printing, etc., of 397
  - Cooperative demonstration work 401
  - Exhibits at fairs 401
  - Farm forestry, cooperative 401
  - Motion pictures 401
- Crop production, etc., loans authorized during 1937 5
- Appropriation authorized 7
- Appropriation for 11
- Conditions prescribed 6
- Personnel; use of designated agencies, facilities, etc 6
- Unlawful acts 7

Farmers' Home Corporation, establishment, etc 527

Farm Forestry. *See* Cooperative Farm Forestry Act.

Farm Island, S. Dak., construction, operation, etc., amusement and recreational facilities on, by Pierre, authorized 648

Farm Loan Act. *See* Federal Farm Loan Act, Amendments.

Farm Mortgage Act. *See* Emergency Farm Mortgage Act of 1933, Amendments.

Farm Mortgage Corporation Act. *See* Federal Farm Mortgage Corporation Act, Amendments.

Farm Mortgage Corporation, Federal, funds available for administrative expenses 434
- Payments to, on account of interest rate reductions 771

Farm Tenant Act. *See* Bankhead-Jones Farm Tenant Act.

Federal-Aid Highways:
- Appropriation for 422
- Toll bridges on, aid to States in making certain, free bridges 640

Federal Alcohol Administration, appropriation for 144

Federal Board for Vocational Education, appropriation for 223

Federal Bureau of Investigation. *See* Justice, Department of.

Federal Communications Commission:
- Appropriation for 334
- Deficiency appropriation for 215, 757
- American Telephone and Telegraph, etc., companies, investigation 11
- Communications Act of 1934, Amendments, powers under. *See* separate title.

Page

Federal Communications Commission— Continued.
Great Lakes, etc., investigation of radio requirements for ships navigating on 197
Federal Credit Union Act, Amendment, space in Federal buildings for credit unions 487
Federal Emergency Administration of Public Works. *See also* Public Works Administration Extension Act of 1937.
Administrative expenses, amount available for 351
Federal Emergency Relief Administration:
Deficiency appropriation for damage claims 232, 775
Liquidation of 357
Federal Farm Loan Act, Amendments:
Farm loan associations—
Associations formed of ten or more borrowers 711
Common board of directors between two or more 710
Directors, terms of office modified 710
Failure to meet obligations; appointment of conservator 713
Loans, agreement to service, between local associations 713
Loans where stock impaired 711
Prospective borrowers, election of 710
Territories, adjustment of boundaries 707
Voting, shareholders' meetings 710
Intermediate credit banks—
Annual earnings, disposition of 715
Debentures, collateral security for 715
Preparation and issue, regulations governing 715
Purchase of 715
Location in each farm credit district 707
Property, acquisition and disposal of 715
Land Bank Commissioner, interest rate limitation on loans by 521
Land banks—
Bond committee, subcommittee authorized 709
Borrowers, transfer to Farm Mortgage Corporation permitted 710
Districts, provisions repealed 707
Examiners, designation changed 710
Farm credit board members ex officio directors of, in district 707
Loans—
Interest rate reduction, extension of, on loans by 521
Payments by United States on account of, continued 521
Liquidation of indebtedness incurred prior to Jan. 1, 1937 708
Powers 708

Page

Federal Farm Mortgage Corporation:
Administrative expenses, funds available for 434
Payments to, on account of interest rate reduction 771
Federal Farm Mortgage Corporation Act, Amendments:
Consolidated farm loan bonds, purchase of; loans to Federal land banks 703
Extension of unpaid obligations; interest rate 703
Federal Home Loan Bank Board:
Appropriation for 348
Transfer of funds of banks, etc., under supervision of, to Treasury Department for check-clearing, etc., expenses 773
Federal Housing Administration:
Appropriation for 350, 758
Debentures, extension of period of guarantee of, issued by Administrator 20
Public Relations and Educational Division, amount available for 350
Federal Industrial Institution for Women, Alderson, W. Va., appropriation for 281
Federal Land Banks. *See also* Federal Farm Loan Act, Amendments.
Appropriation for—
Payments on account of interest rate reduction on mortgages 14, 771
Subscriptions to paid-in surplus 138
Loans by, interest rate reduction continued 521
Federal Power Commission:
Appropriation for 334
Bonneville dam project, approval of power rate schedules by 734
Federal Register, appropriation for printing, etc 184
Federal Register Act, Amendment:
Codification of documents by Federal agencies 304
Administrative regulations 305
Codification Board established; composition, duties 305
Publication in special or supplemental editions 305
Federal Reserve Act, Amendments:
Federal Reserve notes, issue to Federal Reserve banks; collateral required 23
Direct obligations of United States as security, time extended for use as 23
Withdrawals, daily notice of, to Board of Governors 23
Federal Savings and Loan Insurance Corporation, administrative expenses, amount available for 351

Page

Federal Subsistence Homesteads Corporation, former employees transferred to Department of the Interior, salary adjustment---- 871

Federal Surplus Commodities Corporation:
Continuation of, until June 30, 1939--- 323
Fishing industry, purchase and distribution of products of, authorized---- 27
Funds made available for---- 61

Federal Trade Commission:
Appropriation for---- 135, 335
Antitrust Act, amendment, resale price maintenance contracts legalized where lawful in intrastate transactions---- 693

Fenholloway River, Fla., examination authorized---- 853

Fertilizer Investigations, appropriation for---- 415

Field Artillery, Chief of. *See* War Department.

Field Artillery School, appropriation for expenses---- 459

Filipinos:
Army, reenlistment of, serving on July 1, 1937---- 696
Coast Guard, waiver of residence requirements after certain service in- 548
Emigration from United States, time extended for making application for---- 165
Appropriation for---- 13

Filled Milk Act, appropriation for enforcement---- 428

Finance Department. *See* War Department.

Financial Institutions, insurance of. *See* National Housing Act, Amendments.

Fine Arts, Commission of:
Appropriation for---- 567
Albert Gallatin statue, designation of site for---- 260
National Gallery of Art, approval of plans by---- 52

Finland:
Appropriation for minister to---- 263
Delaware River Valley Tercentenary, invitation to participate---- 813

Fire Island Inlet, N. Y., improvement authorized---- 845

First Assistant Postmaster General, Office of. *See* Post Office Department.

First Deficiency Appropriation Act, fiscal year 1937---- 8

Firtko, John, payment of claim---- 18

Fisheries, Bureau of. *See also* Commerce, Department of.
Northern Pacific Halibut Act of 1937, enforcement of provisions by---- 327

Page

Fisheries Commission, International, appropriation for share of expenses---- 271

Fishing Bay, Md., improvement authorized---- 846

Fishing Creek, Md., improvement authorized---- 846

Fishing Industry, purchase and distribution of products of, by Federal Surplus Commodities Corporation, authorized---- 27
Funds made available for---- 61

Fitzsimons General Hospital, Colo., construction at, authorized---- 859

Five Civilized Tribes, Okla.:
Appropriation for education---- 583
Suits under Jurisdictional Acts, Court of Claims, amendments to petitions permitted---- 650

Five-Year Level-Premium Term Policies, renewals for further period---- 241

Flandreau, S. Dak., appropriation for education of Indians---- 583

Flathead Indian Reservation, Mont.:
Appropriation for flood control---- 580
Irrigation system, maintenance, etc-- 578

Flathead River, Mont., examination authorized---- 879

Flood Control:
Appropriation for---- 517
Contributions from States, acceptance of---- 518

Flood Control Act of 1936, Amendments:
Connecticut River Valley reservoir system, plans modified---- 204
Debris, amount available for removal of---- 877
Los Angeles and San Gabriel Rivers, Calif., project extended---- 167
Memphis, Tenn., flood protection project authorized---- 881
Ohio River Basin, construction of levees, floodwalls, etc., authorized- 876
Reservoir system for protection of Pittsburgh---- 95
Preliminary examinations authorized, additional---- 877
Run-off and water-flow retardation, surveys authorized for---- 877
State, etc., cooperation, conditions to extension of benefits---- 877
Willamette River, tributaries added--- 880
Yazoo River project, modification authorized---- 880

Flood Relief. *See also* Disaster Loan Corporation.
Health and sanitation activities, allocation of relief funds authorized for---- 21

Florida:
Appropriation for support, etc., of Indians---- 575, 590

Florida—Continued. Page
Anastasia Island Lighthouse Reservation, disposal of portion of, amendment to Act providing for 64
St. Augustine, conveyance of portion to 65
Chapman Field, settlement of outstanding claims against, authorized 135
Crooked River Range Lighthouse Reservation, conveyance of strip to State 667
Everglades National Park, prohibition on expenditure of public money for administration, etc., eliminated 742
Fort Barrancas, construction at, authorized 857
Fort Myers, establishment of Coast Guard station at, authorized 639
Pass-a-Grille, establishment of Coast Guard station at 169
River and harbor improvements authorized 847
Preliminary examinations authorized 853, 878
Saint Augustine, establishment of Coast Guard station at 546
Southern Judicial District, courtrooms at Orlando 119
Terms at Tallahassee 800
Florida River, Fla., examination authorized 853
Floyd River, Iowa, examination authorized 879
Flushing Bay, N. Y., improvement authorized 845
Appropriation for 775
Focht, Benjamin K., payment to widow of 214
Folly Creek, Va., examination authorized 852
Food and Drug Administration. *See* Agriculture, Department of.
Food and Drugs Act, appropriation for enforcement 428
Foot-and-Mouth Disease, appropriation for eradication 406
Forage Crops and Diseases, appropriation for investigations 408
Ford, Henry and Clara J., acceptance of certain property donated for Veterans' Administration purposes 54
Foreign and Domestic Commerce, Bureau of. *See* Commerce, Department of.
Foreign Commerce Service, appropriation for 287
Foreign Currency Appreciation:
Appropriation for payment of losses 335
Annual appropriations to meet losses due to, change in date of beginning payments 641
Foreign Personal Holding Companies, tax on. *See* Income Tax.

Foreign Plant Quarantine, appropriation for enforcement Page 418
Foreign Service. *See also* International Obligations; State, Department of.
Appropriation for—
Beaulac, Willard L., payment to 272
Contingent expenses 265
Cost of living allowance 264
Emergencies 266
Hanna, Gustava, payment to 272
Hoover, Marion P., payment to 273
Rent, heat, fuel, and light 264
Representation allowances 264
Retirement and disability fund 265
Salaries—
Ambassadors and ministers 263
Clerks 265
Foreign Service officers 263
Miscellaneous 265
Transportation, Foreign Service officers 263
Deficiency appropriation for—
Cameron, Cecile C., payment to 771
Contingent expenses 228
Emergencies, Diplomatic and Consular Service 770
Property losses, payment of claims for 769
Salaries—
Ambassadors and ministers 770
Clerks 228
Assignment of Navy and Marine Corps officers and men abroad, reimbursement for expenses 266
Commissary privileges, foreign stations, extended to officers of 63
Minor purchases, etc., without contracts 273
Navy and Marine Corps, assignment of enlisted men as custodians 265
Officers, restriction on payment of salaries to, receiving other salary from Government 263
Transfer of appropriations; restriction 266
Foreign Service Officers. *See* Foreign Service.
Foreign Service Pay Adjustment, appropriation for 335
Foreign Trade, appropriation for promotion of 263
Foreign-Trade Agreements, extension of authority of President to enter into 24
Forest Fire Prevention, etc., appropriation for 607
Forest Pathology, appropriation for investigations 408
Forest Research Stations, International Union of, appropriation for contribution 413
Forest Roads and Trails, appropriation for 433
Forestry. *See* Cooperative Farm Forestry Act.

Page

Forest Service. *See* Agriculture, Department of.
Fort Apache Indian Reservation, Ariz., appropriation for flood control 580
Fort Barrancas, Fla., construction at, authorized 857
Fort Belknap Indian Reservation, Mont.:
Appropriation for—
Flood control 580
Irrigation system, maintenance, etc 578
Fort Benning, Ga.:
Appropriation for expenses, Infantry School 459
Construction at, authorized 857
Fort Bliss, Tex., construction at, authorized 858
Fort Bragg, N. C., construction at, authorized 858
Fort Clayton, Panama, construction at, authorized 861
Fort Crook, Nebr., construction at, authorized 858
Fort D. A. Russell, Tex., construction at, authorized 860
Fort Davis, Panama, construction at, authorized 861
Fort de Lesseps, Panama, construction at, authorized 862
Fort Devens, Mass., construction at, authorized 858
Fort Donelson National Military Park, Tenn., lands added 881
Administration, etc 883
Fort Douglas, Utah, construction at, authorized 858
Fort DuPont, Del., construction at, authorized 858
Fort Ethan Allen, Vt., construction at, authorized 858
Fort Eustis, Va., loan or gift of World War relics, etc., to American Legion Museum, Newport News, Va., authorized 252
Fort Francis E. Warren, Wyo., construction at, authorized 860
Fort Hall Irrigation System, Idaho, appropriation for maintenance, etc 578
Fort Huachuca, Ariz., construction at, authorized 859
Fort Humphreys, D. C., construction at, authorized 859
Fort Knox, Ky.:
Appropriation for bullion depository 151
Construction at, authorized 859
Fort Kobbe, Panama, construction at, authorized 862
Fort Leavenworth, Kans., construction at, authorized 859
Fort McArthur, Calif., construction at, authorized 860

Page

Fort McPherson, Ga., construction at, authorized 860
Fort Monmouth, N. J., construction at, authorized 860
Fort Monroe, Va.:
Appropriation for expenses, Coast Artillery School 460
Construction at, authorized 860
Maintenance purposes, sum available for 454
Fort Myers, Fla., establishment of Coast Guard station at, authorized 639
Fort Myer, Va.:
Construction at, authorized 860
Conveyance of portion to Virginia for highway purposes 203
Fort Niagara, N. Y.:
Lease of portion of reservation to Old Fort Niagara Association 478
Reconstruction expenses, appropriation authorized for 128
Appropriation for 452
Fort Peck, Mont., appropriation for construction, irrigation system 763
Fort Peck Project, Mont., appropriation for maintenance, etc 578
Fort Reno Quartermaster Depot Military Reservation, Okla., portion transferred as site for Southwestern Reformatory 200
Fort Riley, Kans.:
Appropriation for expenses, Cavalry School 459
Construction at, authorized 860
Fort Sam Houston, Tex., construction at, authorized 859
Fort Schuyler Military Reservation, N. Y., lease to State authorized 696
Fort Shafter, Hawaii, construction at, authorized 861
Fort Sill, Okla., construction at, authorized 860
Fort Snelling Military Reservation, Minn., portion set aside as national cemetery; post cemetery not included 200
Fort Thomas, Ky., construction at, authorized 860
Fort Totten Indians, N. Dak., appropriation for industrial assistance 575
Fort Washington, Md., construction at, authorized 861
Fort Wayne, Mich., construction at, authorized 861
Fountaine Que Bouille (Fountain) River, Colo., examination authorized 878
Fourche La Fave River, Ark., examination authorized 878
Fourth Assistant Postmaster General, Office of. *See* Post Office Department.
Fox River, Ill., examination authorized 879

France:
Appropriation for ambassador to 263
Borday, Henry, appropriation authorized for payment as compensation for injuries to 129
Appropriation for 768
International Exposition of Paris, 1937. *See* separate title.
Frankfort Arsenal, Pa., construction at, authorized 859
Frankfort Harbor, Mich., improvement authorized 848
Freedmen's Hospital, D. C., appropriation for 615
Fuller, William H., compensation for services 589
Fur-Resources Investigations, appropriation for 419

G

Gaithersburg, Md.:
Appropriation for latitude observatory 293
Land in, acceptance of certain 659
Galena River (Fever River), Ill. and Wis., examination authorized 879
Gallery of Art. *See* National Gallery of Art.
Galveston, Tex., appropriation for hydrographic office expenses 118
Ganado Irrigation Project, Ariz., appropriation for 576
Garden Creek, Va., examination authorized 852
Garrison, N. Dak., time extended for bridging Missouri River at 48
Gasoline Tax, extension of 358
General Accounting Office:
Appropriation for 335
Damage claims 232
Army disbursing officers, credit in accounts for certain rental payments, personnel on duty with National Guard 724
Civil Works Administration, credit allowed in accounts of disbursing officers for overpayments of wages on projects 804
Disbursing officers, executive departments, credit allowed in accounts for certain payments in fiscal years 1934, 1935 624
Golden Gate International Exposition, audit of vouchers by 492
Housing Authority, United States, audit of financial transactions by 890
New York World's Fair, approval of vouchers by 496
Soil Conservation and Domestic Allotment Act, transfer of funds to, for auditing expenses 430
General Accounting Office—Continued.
Stinson Aircraft Corporation, approval of payment for airplanes directed 325
Subsistence homesteads corporations, credit in accounts of disbursing officers for expenses incident to creation of 620
General Anthony Wayne Memorial Commission:
Establishment, composition, etc 695
Acceptance of gifts 695
Appropriation authorized 696
Report to Congress 696
General Claims Commission, United States and Mexico, appropriation for 229
General Claims Convention, United States and Mexico, appropriation for expenses under 271
General Counsel, Office of. *See* Treasury Department.
General Disarmament Conference, Geneva, Switzerland, balances continued available for 228
General Grant National Park, Calif., appropriation for administration, etc 604
General Land Office. *See* Interior, Department of.
General Leasing Act, Amendment, extension of certain prospecting permits 842
General Motors Corp., sale of part of Holabird Quartermaster Depot, Md., to 206
General Pulaski's Memorial Day, President authorized to proclaim Oct. 11, 1937, as 62
General Staff Corps. *See* War Department.
Genetics and Biophysics, appropriation for investigations 409
Geodesy and Geophysics, International Union of, appropriation for contribution 268
Geographical Union, International, appropriation for contribution 268
Geography and History, Pan American Institute of, appropriation for contribution 268
Geological Survey. *See also* Interior, Department of.
Aerial photographs, contracts with civilians for, authorized 600
Cooperative work on scientific, etc., investigations for Government agencies authorized 599
Indian lands, transfer of funds to, for supervision of mining operations 574
Geologic Surveys, appropriation for 598
George, Preston L., payment to 757
George Rogers Clark Sesquicentennial Commission, functions continued; balances made available 567

Page

George Washington Memorial Building, provisions for erection of, repealed.. 53

George Washington Memorial Parkway, appropriation for maintenance, etc. 339, 609

Georgia:
- Appropriation for administration, Kennesaw Mountain National Battlefield Park 606
- Fort Benning, construction at, authorized 857
- Fort McPherson, construction at, authorized 860
- River and harbor improvements authorized 847
- Savannah River, time extended for bridging, at Lincolnton 28
- Southern Judicial District, Brunswick division created 739
- Tybee Island, establishment of Coast Guard station 205

Germany:
- Appropriation for—
  - Ambassador to 263
  - Mixed Claims Commission, United States and 229

Gibson, Richard W., payment of claim.. 18

Gila Indian Reservation, Ariz., appropriation for irrigation project 577

Gila Project, Ariz., appropriation for construction 595

Gila River, Ariz., examination authorized. 879

Gilberts Ferry, Ala., bridge authorized across Coosa River at 27

Gilbertsville, Ky., appropriation for dam construction at 217

Gilmore Creek, Minn., examination authorized 879

Girl Guides and Girl Scouts Silver Jubilee Camp, temporary entry of alien participants 484
- Free entry of personal effects 485

Girl Scouts, temporary entry of alien participants, Silver Jubilee Camp, 1937. 484
- Free entry of personal effects 485

Girl Scouts, Inc., patent on badge renewed 623

Girtys Run, Pa., examination authorized. 879

Glacier County, Mont., school building construction, funds continued available 582

Glacier National Park, Mont., appropriation for administration, etc 604

Gladstone Harbor, Mich., examination authorized 854

Glasgow, Mont., accommodations for district court provided in Federal building 837

Glen Arbor Harbor, Mich., examination authorized 854

Glen Haven Harbor, Mich., examination authorized 854

Goethals, Maj. Gen. George W., appropriation for erection of memorial, Canal Zone 520

Golden Gate International Exposition:
- Copyrights and patents, protection of, of foreign exhibitors 211
- Certificates of proprietorship, issuance of 212
- Duration of protection 213
- Infringement of protected matter, liabilities and remedies 212
- Penalty provisions 213
- Reimbursement of incurred expenses. 213
- Dutiable articles imported for exhibition purposes admitted free; regulations 187
- Participation by United States 488
- Appropriation authorized 490
- Appropriation for 759
- Commission established, composition, etc 488
- Commissioner, Assistant, appointment, salaries, powers; other personal services 489
- Contributions, acceptance of, etc 492
- Cooperation of Government departments, etc 490
- Indian citizens, participation by 493
- Report to Congress 493
- Termination of Commission 493

Gold Reserve Act of 1934:
- Appropriation for administrative expenses 137, 138, 139, 151
- Amendment—
  - Extension of powers of President relating to stabilization fund, etc.. 4

Goodwin, Philip A., payment to widow of. 756

Goose Creek, Tex., examination authorized. 854

Gordon River, Fla., examination authorized 878

Gorgas Memorial Laboratory:
- Appropriation for contribution 267
- Annual reports to Congress directed 267

Government Contractors, appropriation for payment of losses due to compliance with codes 153

Government Departments. *See* Executive Departments.

Government Employees. *See also* Executive Departments.
- Civilian personnel stationed abroad, allotment of pay permitted 166
- Congressional employees, etc., December salaries to be paid on Dec. 20 199
- Federal Subsistence Homesteads Corporation, former employees transferred to Department of the Interior, salary adjustment 871

Page

Government Employees—Continued.
- Foreign currency appreciation, annual appropriations to meet losses due to, change in date of beginning payments 641
- Jan. 20, 1937, pay granted to certain, in District of Columbia, on account of closing of places of employment 56
- Legislative and judicial branches, retirement. *See* Civil Service Retirement Act of 1930, Amendment.
- Lighthouse keepers, continuation of existing classification and pay system 840
- Marital status, no discrimination in appointments, etc., because of 533
- Oaths of office, renewals not required in certain cases 640
- Postal Service—
  - Laborers, credit of fractional part of year's service toward promotion 840
  - Motor-vehicle service, time credits allowed substitutes 650
  - Superintendents, classified stations, credit for substitutes in computing compensation 841
  - Watchmen and messengers, forty-hour law extended to 651
- Railway Mail Service, stenographer grade provided, office of chief clerks and superintendents 647

Government Losses in Shipment Act:
- Checks, lost, destroyed, etc., issuance of duplicates 482
- Effective date 484
- Revised Statutes, sections repealed 482
- Shipment of valuables, regulations governing 479
  - Claims, procedure for satisfying 479
  - Definitions 480
  - Insuring shipments forbidden; exception 480
  - Replacement of losses, revolving fund established for 479
  - Appropriation for 471

Government Organization, Joint Committee on, establishment, composition, duties, etc 7, 8
- Appropriation for 9

Government-Owned Establishments, obligation of funds for work at, authorized 245

Government Printing Office. *See also* Legislative Branch of the Government.
- Annual, etc., reports, printing discontinued; originals to be kept on file 186
- Commerce, Department of, detail of copy editors to, amount available 284

Page

Government Printing Office—Continued.
- Congressional work, estimate of cost to be included in recommendation 185
- Departmental work, payment for 185
- Sums paid to be credited to working capital 185
- Depository libraries, documents, etc., to be supplied only upon request; approval by Superintendent of Documents 186
- Detailed employees, restriction on payments to 185
- Estimates for departmental work to be incorporated in single item in Budget 185

Grade Crossing Elimination, appropriation for 423

Grain Standards Act, appropriation for administration 426

Grand Army of the Republic, attendance of Marine Band authorized at National Encampment of 543
- Appropriation for 768

Grand Canyon National Park, Ariz., appropriation for administration, etc 604

Grand Central Station Post Office and Office Building, New York, N. Y., appropriation for construction cost 774

Grand Coulee Dam Project:
- Appropriation for continuing construction 597
- Irrigable lands in connection with—
  - Appraisal; repayment contracts; amount to each owner 208
  - Excess lands, refusal to sell 208
  - Ratification by State of Washington 210
  - Surveys, use of allotted funds for 210

Grande Ronde River, Oreg., examination authorized 880

Grand Haven Harbor, Mich., improvement authorized 848

Grand Juries, extensions by district judges permitted 748

Grand (Neosho) River, Okla., Kans., Mo., and Ark., examination authorized 878

Grand Teton National Park, Wyo., appropriation for administration, etc 604

Grand Travers Bay, Mich., examination authorized 855

Grantley Harbor, Alaska, examination authorized 855

Grazing, Division of. *See* Interior, Department of.

Great Britain:
- Appropriation for—
  - Ambassador to 263
  - International Fisheries Commission 271
  - Waterways treaty, expenses 270
- Lake of the Woods, payment of claims for damages due to water level fluctuations; appropriation authorized 843

Great Britain—Continued. Page
Moosa, N. J., appropriation authorized for payment as indemnity for injuries to 129
Appropriation for 768
Richardson, Samuel, appropriation authorized for payment for account of estate of 134
Appropriation for 768
Shanghai Electric Construction Company, Ltd., appropriation authorized for payment for account of 129
Appropriation for 768
Greater Texas and Pan American Exposition, Dallas, Tex.:
Dutiable articles imported for exhibition purposes admitted free; regulations 55
Invitation to Canada and Pan American Republics to participate 19
Participation by United States—
Commission established, composition 58
Commissioner General and assistants, appointment, salaries, powers; other personal services 58
Contributions, acceptance of 60
Cooperation by Government departments 59
Expenditures authorized 59
Report to Congress 61
Termination of Commission 61
Transfer of certain contracts entered into by Texas Centennial Commission 60
Unexpended balances, use of 60
Great Kills, Staten Island, N. Y., examination authorized 852
Great Lakes, examination of coasts of, authorized 855
Great Lakes Exposition:
Dutiable articles imported for exhibition purposes admitted free 240
Participation by United States continued, 1937 61
Appropriation authorized 62
Appropriation for 215, 758
Great Lakes, Ill., appropriation for naval training station 98
Great Onyx Cave, Ky., exclusion from Mammoth Cave National Park, authorized 871
Great Smoky Mountains National Park, N. C.-Tenn.:
Appropriation for administration, etc 604
Exchange of certain lands within, for land within Cherokee Indian Reservation 699
Greece, appropriation for minister to 263
Green Bay and Mississippi Canal Co., relinquishment of easement granted by 547
Green Bay Harbor, Wis., improvement authorized 848
Greenlawn Cemetery, Indianapolis, Ind., sale of Confederate Lot authorized 616
Greenport Harbor, N. Y., improvement authorized 845
Greenvale (Fairweather) Creek, Va., examination authorized 852
Greenville, Miss., bridge authorized across Mississippi River at 745
Greenville, Tex., acquisition of land near, by Department of Agriculture 408
Greenwich Harbor, Conn., examination authorized 851
Gregory, William V., payment to widow of 9
Gretna, La., time extended for bridging Mississippi River, to New Orleans 631
Groveland, Mass., bridge authorized across Merrimack River, to Haverhill 168
Grover, N. C., lease of quarters for post office continued 842
Guam, appropriation for care of lepers; transfer to Culion, P. I 97
Guanica Lighthouse Reservation, P. R., exchange of, for adjacent land 694
Guatemala, appropriation for minister to 263
Guayanes Harbor, Puerto Rico, improvement authorized 850
Guayanilla Harbor, Puerto Rico, examination authorized 855
Guffey Coal Act. *See* Bituminous Coal Act of 1937.
Gulf Coast, appropriation for survey expenses 292
Gulfport Harbor, Miss., examination authorized 854
Guntersville Dam, appropriation for continuing construction 217
Gypsy and Brown-Tail Moth Control, appropriation for 417

H

Haig, Chester R., payment of claim 18
Haiti, appropriation for minister to 263
Halibut Act. *See* Northern Pacific Halibut Act of 1937.
Hampton Harbor, N. H., examination of inland waterway between Merrimack River, Mass., and, authorized 851
Hampton Roads, Va., examination authorized 853
Hancock, Md., bridge authorized across Potomac River at 476
Hanna, Gustava, payment to 272
Harlem River and Bronx Kills, N. Y., examination authorized 851
Haskell Institute, Lawrence, Kans., appropriation for education of Indians 582

Page

Hatch Act, appropriation for allotments under 398
Haverhill, Mass., bridge authorized across Merrimack River, to Groveland 168
Hawaii. *See also* Hawaiian Homes Commission Act of 1920, Amendments.
Appropriation for—
Agricultural experiment stations 398
Extension service 400
Contingent expenses 613
Governor and secretary, salaries 613
National park administration, etc 605
Territorial court 277
Vocational education 610
Vocational rehabilitation, persons disabled in industry 611
Bankhead-Jones Farm Tenant Act, extension of provisions to 532
Bond issues, amendment by Legislature authorized 211
Exchange of certain lighthouse sites, Island of Maui, authorized 632
Fort Shafter, construction at, authorized 861
Maui, Island of, exchange of certain lighthouse sites authorized 632
Public improvements, issuance of bonds for, authorized; maturity, etc 508
Legislative acts confirmed 509
Public works, issuance of bonds for, authorized 509
Schofield Barracks, construction at, authorized 861
Transfer of portion of site for post office construction 774
Sewer bonds, issuance authorized; amount 507
Maturity, etc.; confirmation of legislative acts 507
Slum clearance and housing, establishment of public corporate authority authorized 508
Bonds authorized; not to constitute public indebtedness 508
Legislative acts confirmed 508
Sugar Act of 1937, basis of determination of quota under 905
Tripler General Hospital, construction at, authorized 861
Hawaiian Homes Commission Act of 1920, Amendments:
Hawaii, lands added to jurisdiction of Commission 497
Lease of lands, maximum area; conditions imposed 504
Loan contracts; amortization; death of borrower 505
Insurance of property, etc 506
Succession of interests of deceased lessee 504

Page

Hawaiian Homes Commission Act of 1920, Amendments—Continued.
Water and other development projects, construction authorized 507
Bonds authorized 507
Hawaii National Park, appropriation for administration, etc 605
Headquarters Provisional Brigade and Washington Quartermaster Depot, D. C., construction at, authorized 861
Healing Arts Practice Act. *See* District of Columbia.
Health and Sanitation Activities, flood-stricken areas, allocation of relief funds for, authorized 21
Hearns Creek, Md., examination authorized 852
Helium:
Appropriation for procurement 455
Conservation, etc., of 885
Exports, restriction on 887
Penal provisions 887
Plants, operation and maintenance of 886
Production and sale; restrictions 886
Requisitions by Army, Navy, etc 886
Secretary of the Interior, powers of 885
Mines, Bureau of, transfer of sums for acquisition, by War and Navy Departments 111, 602
Hendry Creek, Fla., examination authorized 878
Henry, William R., payment of claim 18
Hernando De Soto, commemoration of landing. *See* Pan American Exposition.
Herring Bay, Md., examination of channel to, authorized 852
Hickam Field, Hawaii, appropriation for improvements 452
High Commissioner to Philippine Islands. *See* Philippine Islands.
Hillsboro River, Fla., examination authorized 853
Hilo Harbor, Hawaii, examination authorized 855
Hiwassee Dam, appropriation for continuing construction 217
Hog Cholera Control, appropriation for 405
Hog Island, Va., examination of channels at and near, authorized 852
Holabird Quartermaster Depot, Baltimore, Md., sale of part to General Motors Corp., authorized 206
Holding Companies, tax on. *See* Income Tax.
Home Economics, Bureau of. *See* Agriculture, Department of.
Home Loan Bank Board. *See* Federal Home Loan Bank Board.

Home Owners' Loan Corporation, appropriation for ... Page 349
Homestead Entrymen, time extended for offering final proof ... 303
Homestead National Monument of America, Nebr., appropriation for development, etc ... 606
Homestead, Pa., time extended for bridging Monongahela River at ... 245
Honduras, appropriation for minister to ... 263
Honolulu, Hawaii, appropriation for hydrographic office expenses ... 118
Hood River, Oreg., bridge alterations directed to improve navigation facilities ... 648
Hoover, Marion P., payment to ... 273
Hopi Indians, Ariz.–N. Mex.:
Appropriation for—
Flood control ... 580
Irrigation projects ... 576
Water supply, development of ... 576
Hopkins, Joseph G., payment of claim ... 18
Horton Point Lighthouse Reservation, N. Y., conveyance to Southold Park District ... 667
Hoskins Creek, Va., improvement authorized ... 846
Hospital for Defective Delinquents, United States, appropriation for ... 281
Hot Springs, Ark., appropriation for construction and repair, Army and Navy Hospital ... 454
Hot Springs National Park, Ark.:
Appropriation for administration, etc ... 605
Cession of jurisdiction by State accepted ... 243
Houma, La., establishment of sugarcane station at ... 410
House Office Buildings, appropriation for maintenance, etc ... 180
House of Representatives. *See also* Congress; Legislative Branch of the Government.
Appointment of Members to—
Board of Visitors, Coast Guard Academy ... 67
General Anthony Wayne Memorial Commission ... 695
Joint Committee on Government Organization ... 7
United States Golden Gate Exposition Commission ... 489
United States New York World's Fair Commission ... 493
World War memorials, Europe, dedication of, official delegation ... 324
Funeral delegations, etc., restriction on expenditures for ... 177
Majority floor leader, unexpended balances made available for positions in office of ... 164
Housing Act. *See* National Housing Act, Amendments; United States Housing Act of 1937. Page
Housing Administration. *See* Federal Housing Administration.
Housing Authority. *See* United States Housing Act of 1937.
Houston, Tex., Oil World Exposition at. *See* separate title.
Houston, William S., payment to ... 757
Howard University, appropriation for ... 615
Howland Island, appropriation for administrative expenses ... 614
Hudson Creek, Fla., examination authorized ... 853
Hudson Falls, N. Y., exchange of land for post-office site authorized ... 202
Hulls Creek, Va., examination authorized ... 852
Humboldt Bay and Harbor, Calif., improvement authorized ... 849
Hungary, appropriation for minister to ... 263
Hunting Island Lighthouse Reservation, S. C., conveyance to Beaufort County ... 651
Huntington Harbor, N. Y., examination authorized ... 851
Hydrographic Bureau, International, appropriation for contribution ... 267

I

Idaho:
Appropriation for—
Boise project, operation, construction, etc ... 593, 595
Indians, support, etc., of ... 578, 585, 586
Minidoka project, operation, etc ... 593
Snake River, examination authorized ... 26
Time extended for bridging, at Lewiston ... 477
Ilion, N. Y., examination authorized ... 878
Illinois:
Calumet River, portion declared nonnavigable, in Chicago ... 258
Chanute Field, construction at, authorized ... 858
Eastern Judicial District, term of court at Benton ... 624
Lake Michigan, time extended for bridging, opposite entrance of Chicago River ... 244
Mississippi River, time extended for bridging, at—
East St. Louis ... 244
Stites ... 251
Rivers and harbors, preliminary examinations authorized ... 854, 897
Illinois Bayou, Ark., examination authorized ... 878
Illinois River, Ill., examination authorized ... 879

Page

Illinois Waterway, Ill., modification in existing project for improvement... 258

Immigration Act of 1917, Amendment, removal at Government expense of certain aliens applying for deportation; ineligibility for readmission... 164

Immigration Act of 1924, Amendment, deportation of aliens who secured preference or non-quota visas by contracting marriage to fraudulently expedite admission... 164

Immigration and Naturalization Service. *See also* Aliens; Labor, Department of.
Filipino emigration, time extended for making application for benefits... 165

Immigration Stations, appropriation for... 300

Imperial River, Fla., examination authorized... 878

Implementing Narcotics Convention of 1931, appropriation for contribution... 268

Inaugural Ceremonies of 1937:
Admission tickets, exemption from admissions tax... 4
Troops, quartering of, in certain public buildings... 4

Income Tax:
Corporations excepted from Sec. 102... 830
Disallowed deductions... 827
Effective dates... 828
Foreign personal holding companies... 818
Adjusted basis of stock... 825
Assessment and collection, period of limitation... 826
Corporation income taxed to United States shareholders... 822
Definition... 818
Effective date... 825
Formation, etc., of foreign corporations, returns as to... 824
Gross income... 820
Inclusion of income of United States shareholders in income of... 818
Income, definition... 818
Information returns by—
Officers and directors... 823
Shareholders... 823
Liquidation of... 825
Minor amendments to 1936 Act... 826
Penalties... 824
Stock in, acquired from decedent, basis of... 825
Stock ownership... 819
Supplement P net income... 821
Undistributed Supplement P net income... 821
Mutual investment companies... 831
Nonresident alien individuals... 830
Personal holding companies... 813
Adjusted net income, computation... 816
Administrative provisions... 817

Income Tax—Continued. Page
Personal holding companies—Contd.
Cross-references, changes in... 817
Definition... 814
Effective dates... 817
Foreign... 817
Income, definition of... 814
Meaning of terms used... 817
Stock ownership... 815
Surplus, improper accumulation of... 817
Surtax on... 813
Undistributed adjusted net income, computation... 816
Trusts... 829
Effective dates... 830
Fiduciary returns... 829
Personal exemption, denial of... 829

Independent Offices:
Appropriation for—
American Battle Monuments Commission... 330
Board of Tax Appeals... 331
Central Statistical Board... 331
Civilian Conservation Corps... 470
Civil Service Commission... 331
Commodity Credit Corporation... 347
District of Columbia Alley Dwelling Authority... 333
Electric Home and Farm Authority... 348
Employees' Compensation Commission... 333
Executive Office... 329
Executive Mansion and grounds, maintenance, etc... 330
President and Vice President, compensation... 329
Export-Import Bank of Washington, D. C... 348
Federal Communications Commission... 334
Federal Emergency Administration of Public Works... 351
Federal Home Loan Bank Board... 348
Federal Housing Administration... 350
Federal Power Commission... 334
Federal Savings and Loan Insurance Corporation... 351
Federal Trade Commission... 335
Foreign service pay adjustment... 335
General Accounting Office... 335
Home Owners' Loan Corporation... 349
Interstate Commerce Commission... 336
National Advisory Committee for Aeronautics... 338
National Archives... 338
National Capital Park and Planning Commission... 339
National Labor Relations Board... 339
National Mediation Board... 340

Independent Offices—Continued. Page
Appropriation for—Continued.
Oil lands in former naval reserves, protection of interests of United States in matters affecting 340
Railroad Retirement Board 340, 470
Railroad Retirement Account 470
Reconstruction Finance Corporation 350
Rural Electrification Administration 341
Securities and Exchange Commission 342
Smithsonian Institution 342
National Gallery of Art 343
National Museum 342
Social Security Board 343
Tariff Commission 345
Veterans' Administration 345
Deficiency appropriation for—
Audited claims 234, 777, 780
Charles Carroll of Carrollton Bicentenary Commission 10
Civilian Conservation Corps 757
District of Columbia Airport Commission 10
Electric Home and Farm Authority 757
Emergency Conservation Work 10
Executive Office 757
Farm Credit Administration 11
Federal Communications Commission 11, 215, 757
Federal Housing Administration 758
Golden Gate International Exposition Commission 759
Great Lakes Exposition 215, 758
Interstate Commerce Commission 215
Maritime Commission, United States 759
National Advisory Committee for Aeronautics 216
National Capital Park and Planning Commission 758
National Labor Relations Board 758
National Mediation Board 216
National Railroad Adjustment Board 216
New York World's Fair Commission 759
Relief and work relief 10
Social Security Board 759
Tennessee Valley Authority 759
Thomas Jefferson Memorial Commission 759
Veterans' Administration 11
Independent Offices Appropriation Act, 1924, provisions for construction of national gallery of art, repealed 53
Independent Offices Appropriation Act, 1938. *See* Independent Offices.
Indiana:
Ohio River, time extended for bridging, at Rockport 243
Indiana—Continued. Page
River and harbor improvements authorized 848
Preliminary examinations authorized 854
Wabash River—
Bridge authorized across, at Lockport 542
Time extended for bridging, at Merom 475
Indian Affairs, Bureau of. *See* Interior, Department of.
Indiana Harbor and Canal, Ind., improvement authorized 848
Indian Arts and Crafts Board, appropriation for expenses 576
Indian Chartered Corporations, appropriation for revolving fund for loans to 576
Indianhead, Md., appropriation for school at ordnance station 104
Indian River, Fla., examination authorized 853
Indian River Inlet and Bay, Del., improvement authorized 846
Appropriation for 775
Indians. *See also* Interior, Department of, Indian Affairs, Bureau of.
Agua Caliente, Calif., sale or lease of land for public airport authorized 811
Arizona, restoration of certain lands to tribal ownership 862
Mineral patents, deposit of rent by applicant; damages 863
Order withdrawing certain lands from mineral entry revoked 863
Rights-of-way, etc 863
Water developments, restriction on use 863
Blackfeet, Mont., relinquishment of lands held for reclamation purposes to; expenditure authorized 864
Capitan Grande Band of Mission Indians, reservation of certain public lands, Calif., for benefit of 72
Chickasaw, Okla., reservation of minerals in future land sales 810
Sale of certain dormitory properties authorized 537
Choctaw, Okla., reservation of minerals in future land sales 810
Crow Reservation, Mont., certain land eliminated from 884
Five Civilized Tribes, amendments to petitions permitted in suits under Jurisdictional Acts, Court of Claims 650
Golden Gate International Exposition, participation of 493
Homestead lands purchased from trust, etc., funds to be nontaxable 188

Page

Indians—Continued.
- Inyo and Mono Counties, Calif., exchange of certain lands, etc., in, with Los Angeles, for benefit of 70
- Irrigation projects, apportionment of cost on per-acre basis 577
- Kanosh Reservation, Utah, area enlarged 239
- Klamath, Oreg.:
  - Capital reserve fund created out of tribal funds; use of interest 872
  - Reimbursable loan fund established 872
  - Administration by loan board 872
  - Limitation on additions 873
  - Repayments, credit of 873
  - Security, types of property as 872
- Koosharem Reservation, Utah, area enlarged 241
- Metlakahtla, Alaska, credit of certain revenues as trust funds 873
- Oklahoma, gross production tax on minerals, restricted lands, manner of payment 806
- Palm Springs, Calif., sale or lease of land for public airport authorized 811
- Papago Reservation, Ariz., area enlarged 536
- Pipestone National Monument, Minn., reservation of quarrying rights to 805
- Quapaw, Okla., State gross production tax on lead and zinc produced on lands of, authorized 68
  - Exemption from other State taxes 68
- Reclamation projects, investigation of financial, etc., conditions 737
- Santa Rosa Band of Mission Indians, Calif., acquisition of land for use of; appropriation authorized 69
  - Appropriation for 763
- Shivwitz Reservation, Utah, area enlarged 239
- Shoshone Reservation, Wyo., acquisition of certain lands of, for Wind River irrigation project 700
- Sioux, Pine Ridge Reservation, S. Dak., appropriation authorized for payment to 441
  - Appropriation for 763
- Yakima Reservation, Wash., extension of period of trust on allotted lands 210

Indian Wars Veterans, rates of pensions for 786

Industrial Institution for Women, Alderson, W. Va., appropriation for repairs, etc 766

Industrial Property, International Bureau for Protection of, appropriation for contribution 267

Page

Industrial Reformatory, Chillicothe, Ohio, appropriation for 281

Infantry, Chief of. *See* War Department.

Infantry School, Fort Benning, Ga., appropriation for expenses 459

Information, Office of. *See* Agriculture, Department of.

Inheritance Tax, D. C. *See* District of Columbia, Revenue Act of 1937.

Injunctions:
- Suspension, etc., of Act of Congress on constitutional grounds, determination by three judge court 752
- Temporary order by single judge to prevent irreparable damage 752

Inland Waterways Corporation Act, Amendment, services and operations extended to Savannah River 304

Insecticide Act, appropriation for enforcement 428

Insecticide and Fungicide Investigations, appropriation for 418

Insect Pests, etc., appropriation authorized for control of emergency outbreaks of 57
- Appropriation for 120, 514

Institute of Health. *See* National Institute of Health.

Insular Affairs, Bureau of. *See* War Department.

Insurance Companies, D. C., tax on. *See* District of Columbia, Revenue Act of 1937.

Inter-American Radio Conference, appropriation authorized for participation expenses 749
- Appropriation for 770

Inter-American Trade Mark Bureau, appropriation for contribution 267

Interior, Department of. *See also* Secretary of the Interior.
- Appropriation for—
  - Columbia Institution for the Deaf 615
  - Contingent expenses 565
  - Education, Office of 609
    - Vocational education 610
  - Fine Arts, Commission of 567
  - Freedmen's Hospital 615
  - General Land Office 568
    - Coos Bay Wagon Road grant lands and timber, payment of proceeds of sales 570
    - Oklahoma, payment to, from oil and gas royalties 570
    - Oregon and California grant lands, payments to certain counties in Oregon in lieu of taxes 570
    - States, payments to, from proceeds of sales of public lands 569

Interior, Department of—Continued. Page
Appropriation for—Continued.
Geological Survey 597
George Rogers Clark Sesquicentennial Commission 567
Government in the Territories 611
Alaska 611
Equatorial and South Sea Islands 614
Hawaii 613
Puerto Rican Hurricane Relief 613
Virgin Islands 613
Grazing, Division of 565
Howard University 615
Indian Affairs, Bureau of 570
Annuities and per capita payments 590
Conservation of health 584
Construction and repair 589
Education 580
General support and administration 586
Indian lands 571
Industrial assistance and advancement 574
Irrigation and drainage 576
Roads and bridges 589
Water supply, development of 576
Investigations, Division of 565
Mines, Bureau of 600
Helium production, etc 602
Investigations, etc 600
Mount Rushmore National Memorial Commission 567
National Bituminous Coal Commission 567
Consumers' Counsel 568
National Park Service 603
Forest fire prevention, etc 607
Historic sites and buildings 608
Monuments, administration, etc 606
Roads and trails 608
Water rights, investigation and purchase of 608
Petroleum Conservation Division 568
Printing and binding 566
Reclamation, Bureau of 592
Saint Elizabeths Hospital 614
Secretary, Office of 564
Solicitor, Office of 564
Territories and Island Possessions, Division of 565
War Minerals Relief Commission 568
Deficiency appropriation for—
Audited claims 235, 778, 781
Damage claims 15, 232, 775, 776
Education, Office of 223, 765
Freedmen's Hospital 223
General Land Office 221
Government in the Territories 223, 765
Indian Affairs, Bureau of 221, 763

Interior, Department of—Continued. Page
Deficiency appropriation for—Contd
Judgments 777
Mines, Bureau of 764
National Park Service 222, 764
Reclamation, Bureau of 764
Secretary, Office of 763
Potomac and Anacostia Rivers, settlement of land claims along shores of 763
War Minerals Relief Commission 12, 221
Aerial photographs for mapping projects, furnishing by War and Navy Departments on request of Secretary 599
Alaska, new appointees, etc, traveling expenses allowed 591
Reindeer industry, preservation of native character of; administration of provisions by 900
Appropriations and authority made available from July 1, 1937; incurred obligations ratified 616
Arch Hurley Conservancy District, N. Mex., construction of reclamation project authorized 557
Blackfeet Indian Reservation, Mont., relinquishment of certain lands held for reclamation purposes to; expenditure authorized 864
Bramblet, Cordy, conveyance of certain land to 747
Cabinet Gorge, Columbia River, hydroelectric power surveys directed 638
Cape Hatteras National Seashore, establishment, etc 669
Central Heating Plant, furnishing of steam to buildings on Judiciary Square, D. C 95
Central Valley project, Calif., jurisdiction transferred to, from War Department 850
Clackamas County, Oreg., conveyance of lands to, for park purposes 840
Coos Bay Wagon Road grant lands, Oreg., conservation management of timberlands under Federal jurisdiction 874
Disbursing officers, subsistence homesteads, credit in accounts of 620
Federal Subsistence Homesteads Corporation, former employees transferred to, salary adjustment 871
Field employees, Indian service, funds available for supplies 591
Grand Coulee Dam project, prevention of speculation in prospectively irrigable lands in connection with; administration of provisions by 208

Interior, Department of—Continued. Page
Great Smoky Mountains National Park, N. C., exchange of certain lands within, for lands within Cherokee Indian Reservation 699
Helium conservation, etc., administration of provisions by 885
Housing Authority, United States, creation of, in 889
Indians. *See* Indians.
Inyo and Mono Counties, Calif., exchange of certain lands, etc., in, with Los Angeles for benefit of Indians 70
Consent of allottees, etc.; tribal lands 70
Land patents, issuance of, to States in adjudicating exchanges 748
Marshall Ford Dam, Tex., construction, operation, authorized 850
Montana, conveyance of public lands to, for public park, etc., purposes 746
National Monuments. *See* National Monuments.
National Parks. *See* National Parks.
New Mexico, conveyance of public lands to 747
Oil and gas permits, public lands, issue to certain applicants authorized 808
Oklahoma, restricted Indian lands, State gross production tax on minerals, manner of payment 806
Oregon and California Railroad lands, Oreg., conservation management of timberlands under Federal jurisdiction 874
Prospecting permits, extension of certain 842
Reclamation projects, investigation of financial, etc., conditions 737
Reindeer industry, Alaska, preservation of native character of, administration of provisions by 900
Reservoirs, appropriation authorized for construction, under reclamation laws 841
Shenandoah National Park, Va., police power assumed by United States; notification to State 700
Protection of birds and animals, regulations by 701
States, issuance of land patents to, in adjudicating exchanges 748
Subsistence homesteads, credit in accounts of disbursing officers for expenses incident to creation of 620
Trucks, etc., availability of funds for purchase of 607
Utah, exchange of lands with 637

Interior, Department of—Continued. Page
Wind River irrigation project, Wyo., acquisition of certain lands of Shoshone Indian Reservation for 700
Work animals, etc., field appropriations available for hire of 616
Intermediate Credit Banks. *See* Federal Farm Loan Act, Amendments.
Internal Revenue, Bureau of. *See also* Treasury Department.
Bottle stamps, issuance and regulations by Commissioner 488
Boy Scouts of America, remission of tax on steamship tickets to, attending World Jamboree 69
Carriers Taxing Act of 1937, rules and regulations by 440
Sugar Act of 1937, collection of taxes under 914
Internal Revenue Taxation, Joint Committee on:
Appropriation for expenses 173, 177
Tax Evasion and Avoidance, Joint Committee on, utilization of services of, by 254
International Astronomical Union, appropriation for contribution 268
International Boundary Commission, United States and Canada, and Alaska and Canada, appropriation for 270
International Boundary Commission, United States and Mexico:
Appropriation for—
Lower Rio Grande flood-control project 269
Rio Grande canalization project 269
Rectification project 269
Salaries and expenses 268
International Bureau for Protection of Industrial Property, appropriation for contribution 267
International Bureau for Publication of Customs Tariffs, appropriation for contribution 267
International Bureau of Permanent Court of Arbitration, appropriation for contribution 267
International Bureau of Weights and Measures, appropriation for contribution 267
International Committee of Weights and Measures, appropriation for expenses, American member 289
International Conference of American States, Eighth, Lima, Peru, appropriation for participation expenses 271
International Congress of Architects:
Appropriation authorized for expenses of Fifteenth Congress 441

International Congress of Architects—Con. Page
Invitation to foreign countries to participate 441
International Convention for the Safety of Life at Sea, amendments to Communications Act of 1934 making effective provisions of 189
International Council of Scientific Unions, appropriation for contribution 268
International Dairy Congress, Eleventh, Berlin, Germany, appropriation authorized for participation expenses 249
Appropriation for 770
Report to Congress 249
International Exposition. *See* Pacific Mercado.
International Exposition of Paris, 1937:
Participation by United States—
Appropriation for 22
Approval of expenditures 22
Delegation of authority, etc., by Commissioner General 22
Housing, etc., exhibits, additional authority for expenditures for 22
Personal services 22
Return of exhibits at close; disposition of unused property, etc 22
International Fisheries Commission, appropriation for share of expenses 271
International Geographical Union, appropriation for contribution 268
International Hydrographic Bureau, appropriation for contribution 267
International Institute for the Protection of Childhood, American, appropriation for contribution 267
International Institute of Agriculture, appropriation for contribution 267
International Joint Commission, United States and Great Britain, appropriation for 270
International Labor Office:
Appropriation for—
Contribution 268
Liaison with, expenses 298
Technical Tripartite Textile Conference, 1937, aid in defraying expenses of 29
International Map of the World, appropriation for contribution 267
International Monetary and Economic Conference, balances continued available for 228
International Obligations. *See also* Foreign Service; State, Department of.
Appropriation for—
Aerial Legal Experts, International Technical Committee of 267
Agriculture, International Institute of 267

International Obligations—Continued. Page
Appropriation for—Continued.
Arbitration—
Bureau of Interparliamentary Union for Promotion of International 267
International Bureau of Permanent Court of 267
Astronomical Union, International 268
Aviation Conference, Lima, Peru 272
Biological Sciences, International Union 268
Cape Spartel and Tangier Light, Morocco 267
Chemistry, International Union of 268
Childhood, American International Institute for the Protection of 267
Customs Tariffs, International Bureau for Publication of 267
Forest Research Stations, International Union of 413
General Claims Convention, United States and Mexico 271
Geodesy and Geophysics, International Union of 268
Geographical Union, International 268
Gorgas Memorial Laboratory 267
Hydrographic Bureau, International 267
Industrial Property, International Bureau for Protection of 267
International Boundary Commission, United States and Canada and Alaska and Canada 270
International Boundary Commission, United States and Mexico 268
International Conference of American States, Eighth, Lima, Peru 271
International Fisheries Commission 271
International Joint Commission, United States and Great Britain 270
International Labor Office 268
International Seed Testing Congress 409
International Telecommunication Union, Radio Section 267
Liquor Traffic in Africa, Convention Relating to 268
Map of the World, International 267
Narcotics Convention of 1931, Implementing 268
Panama, payment to government of 267
Pan American Institute of Geography and History 268
Pan American Sanitary Bureau 267
Pan American Union 267
Penal and Penitentiary Commission, International 268
Permanent International Commission of the Congresses of Navigation 517
Physics, International Union of 268

International Obligations—Continued. Page
Appropriation for—Continued.
Public Health, International Office of 267
Road Congresses, Permanent Association of International 268
Scientific Radio Union, International 268
Scientific Unions, International Council of 268
Statistical Bureau, International 267
Telecommunication Conference, Cairo, Egypt 272
Trade Mark Bureau, Inter-American 267
Waterways Treaty, United States and Great Britain 270
Weights and Measures, International Bureau of 267
Wheat Advisory Committee, International 432
Deficiency appropriation for—
American and Philippine Experts, Joint Committee of 228
Disarmament Conference, General, Geneva, Switzerland 228
Extraterritorial Rights in Egypt, Conference on 228
General Claims Commission, United States and Mexico 229
Inter-American Radio Conference, expenses 770
International Dairy Congress, Eleventh, participation expenses 770
International Production Control Committees 762
Interparliamentary Union 770
Literary and Artistic Works, Conference to Revise Convention for Protection of, Brussels, Belgium 228
Mixed Claims Commission, United States and Germany 229
Monetary and Economic Conference, International 228
Oil pollution of navigable waters, Conference on 229
Pacific Salmon Fisheries Commission, International 770
Radio Consulting Committee, International, Rumania, 1937 228
Smelter-fumes controversy, arbitration of, United States-Canada 229
Telecommunication Conference, Cairo, Egypt 770
World's Poultry Congress and Exposition, Seventh 771
Inter-American Radio Conference, appropriation authorized for participation expenses 749

International Obligations—Continued. Page
International Dairy Congress, Eleventh, Berlin, Germany, participation expenses, appropriation authorized for 249
International Road Congress, Eighth, 1938, appropriation authorized for participation expenses 750
Pan American Sanitary Conference, Tenth, participation authorized 198
World's Poultry Congress and Exposition, Seventh, participation expenses authorized 550
International Office of Public Health, appropriation for contribution 267
International Pacific Salmon Fisheries Commission, appropriation for share of expenses 770
International Penal and Penitentiary Commission, appropriation for contribution 268
International Petroleum Exposition, Tulsa, Okla.:
Dutiable articles imported for exhibition purposes admitted free; regulations 742
Invitations to States and foreign countries to participate authorized 742
No Federal obligation incurred 743
International Production Control Committees, funds available for expenses 432, 762
International Radio Consulting Committee, Rumania, balances continued available for 228
International Road Congress, Eighth, 1938, appropriation authorized for participation expenses 750
International Scientific Radio Union, appropriation for contribution 268
International Seed Testing Congress, appropriation for share of expenses 409
International Statistical Bureau, The Hague, appropriation for contribution 267
International Technical Committee of Aerial Legal Experts, appropriation for contribution 267
International Telecommunication Union, Radio Section, appropriation for contribution 267
International Union of Biological Sciences, appropriation for contribution 268
International Union of Chemistry, appropriation for contribution 268
International Union of Forest Research Stations, appropriation for contribution 413
International Union of Geodesy and Geophysics, appropriation for contribution 268

International Union of Physics, appropriation for contribution ... Page 268
International Wheat Advisory Committee, appropriation for contribution ... 432
Interparliamentary Union, balances made available ... 770
Interstate Commerce Act, Amendments:
Reduced transportation rates authorized in cases of disaster ... 809
Safety devices, installation by carriers ... 835
Defective appliances, use prohibited ... 836
Enforcement ... 837
Failures of appliances, etc., report of ... 836
Inspections ... 836
Safety rules, standards, etc., to be filed with Commission; modifications ... 836
Violations, penalty for ... 837
Seeing-eye, etc., dogs, accompanying blind persons, free transportation permitted ... 475
Interstate Commerce Commission:
Appropriation for ... 336
Deficiency appropriation for ... 135, 215
Coal, complaints to, respecting excessive transportation costs for ... 90
Commissioners, salary rates ... 352
Interstate Compacts:
Consent of Congress granted to—
Maine-New Hampshire Interstate Bridge Authority ... 538
Minimum wage, etc., Mass., N. H., and R. I ... 633
Oil and gas conservation, continuance of ... 617
Palisades Interstate Park Commission, creation of, New York and New Jersey ... 719
Potomac Valley conservancy district, negotiation for creation of ... 884
Pymatuning Lake, relating to, Ohio and Pa ... 865
Yellowstone River, division of waters, Mont. and Wyo ... 551
Intracoastal Waterway, Fla., examinations authorized ... 853
Investigation, Federal Bureau of. *See* Justice, Department of.
Investigations, Division of. *See* Interior, Department of.
Inyo County, Calif., exchange of certain lands, etc., in, with Los Angeles for benefit of Indians ... 70
Iowa:
Appropriation for support, etc., of Indians ... 585, 586
Iowa—Continued. Page
Crawford County, transfer of, from southern to northern judicial district ... 474
Missouri River, time extended for bridging, at—
Onawa ... 48
Sioux City ... 48
Rivers and harbors, preliminary examinations authorized ... 854, 879
Iowa River, Iowa, examination authorized ... 879
Ipswich River, Mass., examination authorized ... 851
Iran, appropriation for minister to ... 263
Irish Free State, appropriation for minister to ... 263
Irvington Harbor, N. Y., improvement authorized ... 845
Island Creek, Md., channel to, examination authorized ... 852
Improvement authorized ... 846
Italy, appropriation for ambassador to ... 263

J

Jackson, Miss., bridge authorized across Pearl River at ... 244
Jacksonville, Fla., improvement of intracoastal waterway from, to Miami ... 847
Jacobsen, Bernhard M., payment to widow of ... 9
Jails, Federal, appropriation for maintenance, etc ... 281
James River, Va., improvement authorized ... 846
Japan:
Appropriation for ambassador to ... 263
Deportation of enemy aliens from China, World War, appropriation authorized for payment to, as share of expense of ... 199
Appropriation for ... 769
Japanese Beetle Control, appropriation for ... 416
Jarvis Island, appropriation for administrative expenses ... 614
Jeanneret, Enriqueta Koch v. de, appropriation authorized for payment to Chile for account of ... 130
Appropriation for ... 769
Jefferson Barracks, Mo., construction at, authorized ... 859
Jefferson Islands, Md., examination of channels to and near, authorized ... 852
Jefferson Memorial Commission, appropriation for ... 759
Jobos Harbor, Puerto Rico, examination authorized ... 855

Page

Johnstown, Pa., flood control project authorized 880
Joint Committee of American and Philippine Experts, appropriation for 228
Joint Committee on Government Organization:
Establishment; composition; duties, etc. 7, 8
Appropriation for 9
Joint Committee on Internal Revenue Taxation, appropriation for expenses 173, 177
Joint Committee on Printing, appropriation for 178
Joint Committee on Tax Evasion and Avoidance, appropriation for 469
Jones Academy, Okla., appropriation for education of Indians 583
Judges. *See also* Justice, Department of, Courts, United States.
Appointment of additional—
Ninth judicial circuit 64
Ohio Southern District 805
Assignment within circuit to a district in case of disability, etc 753
From other circuit by Chief Justice 753
Judgments:
Deficiency appropriation for, against collectors of customs 18
Court of Claims 16, 233, 777
United States courts 15, 233, 776
Judicial Code, Amendments:
Grand jury extensions by district judges 748
Judges, assignment within circuit to a district in case of disability, etc 753
From other circuit by Chief Justice 753
State taxes, jurisdiction of suits relating to collection of; pending suits not affected 738
Judicial Districts:
Columbia, Tenn., requirement for court accommodations at, modified 546
Florida Southern, courtrooms at Orlando 119
Terms at Tallahassee 800
Georgia Southern, Brunswick division created 739
Illinois Eastern, term at Benton 624
Iowa, transfer of Crawford County from southern to northern 474
Montana, accommodations at Glasgow 837
Term of court at Livingston 474
New York Northern, term at Malone 623
North Carolina Middle, Scotland County transferred to 671
Oklahoma Western, accommodations at Shawnee 625
Virginia Western, Shenandoah National Park made part of 701
Washington, Whitman County included in northern division of eastern district 260

Page

Judicial Districts—Continued.
West Virginia, times for holding court changed 744
Juneau Harbor, Alaska, improvement authorized 850
Jurors, United States Courts:
Appropriation for fees, etc 278, 766
Per diem fees, reduction continued 282
Restoration of 647
Justice, Department of:
Appropriation for—
Administrative Division 273
Anti-Trust Division 273
Assistant Solicitor General, Office of 273
Assistant to the Attorney General 273
Attorney General, Office of 273
Claims Division 273
Contingent expenses 273
Courts, United States—
Bailiffs, salaries, etc 279
Claims, Court of 277
Clerks of courts, salaries, etc 278
Commissioners, fees 278
Conciliation commissioners, fees 278
Customs and Patent Appeals, Court of 276
Customs Court, United States 276
District attorneys, salaries, etc 278
Judges, salaries 276
Jurors and witnesses, fees, etc 278
Marshals, salaries, etc 278
Miscellaneous expenses 279
Panama Canal Zone, District Court 277
Probation system 282
Special attorneys, salaries, etc 278
Supreme Court, United States 276
Territorial Courts 277
United States Court for China 277
Criminal Division 273
Customs cases, conduct of 275
Federal Bureau of Investigation 274
Judicial offices, examination of 275
Lands Division 273
Pardon Attorney, Office of 273
Penal and correctional institutions 280
Buildings and equipment 282
Jails, Federal 281
Medical and hospital service 280
Prison camps 281
Prisoners, support of 282
Printing and binding 274
Prisons, Bureau of 275
Solicitor General, Office of 273
Tax Division 273
Taxes and Penalties Division 275
Traveling expenses 274
Veterans' insurance litigation 275

Justice, Department of—Continued. Page

Deficiency appropriation for—
- Attorney General, Office of 12, 233
- Audited claims 235, 778, 781
- Contingent expenses 765
- Courts, United States—
  - Bailiffs, pay, etc 225
  - Clerks, salaries, etc 224
  - Commissioners, fees, etc 224
  - Conciliation commissioners, fees, etc 224
  - Judges, salaries 224
  - Marshals, clerks, etc., fees and expenses 224, 766
  - Miscellaneous expenses 225
  - Northern Pacific Railway Co., et al, expenses of prosecution of case against 224
  - Rent, courtrooms 225
  - Special assistant attorneys, pay 224
  - Supplies 225
  - Supreme Court, United States 13, 766
  - United States Court for China 224
  - Walker River Irrigation District, compensation of special master in case against 225
- Federal Bureau of Investigation 223, 766
- Damage claims 766
- Northern Pacific Railway Co., and others, expenses of prosecution of case against 766
- Penal and correctional institutions 225, 766
- Buildings and equipment 766
- McNeil Island, Wash., penitentiary site 225
- National Training School for Boys, D. C 225
- Prisoners, support 225, 766
- Printing and binding 765
- Rules in actions at law, preparation of 13

Blair, Harry W., restrictions respecting certain counsel waived in favor of 805

Bonneville dam project, defense of litigation arising under, by 736

Chapman Field, Fla., settlement of outstanding claims against, authorized 135

Fort Reno Quartermaster Military Reservation, Okla., portion transferred as site for Southwestern Reformatory 200

Jurors and witnesses, United States courts, per diem fees, reduction continued 282
- Restoration of 647

Payment forbidden to person after nomination rejected by Senate 302

Special attorneys, limitation on compensation; report to Congress 278

Transfer of funds, "Fees of jurors and witnesses, United States courts, 1937" to "Pay of special assistant attorneys, United States courts, 1937" 324

United States Code, Annotated, price limitation 274

K

Kanosh Indian Reservation, Utah, area enlarged 239

Kansas:
- Appropriation for support, etc., of Indians 582
- Fort Leavenworth, construction at, authorized 859
- Fort Riley, construction at, authorized 860
- Missouri River, time extended for bridging, at Atchison 24
- Rivers and harbors, preliminary examinations authorized 878

Keehi Lagoon, Honolulu, examination authorized 855

Kelly Field, Tex., appropriation for acquisition of land 452

Kendrick Project, Wyo., designation of Casper-Alcova project changed to 595

Kennedy, Joseph P., declared eligible for appointment as member of U. S. Maritime Commission 57

Kennesaw Mountain National Battlefield Park, Ga., appropriation for administration, etc 606

Kenosha Harbor, Wis., examination authorized 854

Kentucky:
- Breckinridge County, conveyance of certain land in, to State 638
- Fort Knox, construction at, authorized 859
- Fort Thomas, construction at, authorized 860
- Louisville, limitation on sale price of old post office, etc., repealed 547
- Mammoth Cave National Park, lands added 871
  - Great Onyx and Crystal Caves, exclusion from 871
- Ohio River—
  - Bridge construction authorized at Owensboro 641
  - Time extended for bridging, at Owensboro 243

Ketchikan, Alaska, bond issue authorized for public improvements 811

Keyapaha River, S. Dak., examination authorized 879

Kickapoo River, Wis., examination authorized 879

Kimball, R. S., payment of claim 18

Page

Kiskiminitas River, Pa., examination authorized 879
Kissimmee River Valley, Fla., examination authorized 878
Kittery, Maine, bridge authorized across Piscataqua River at 535
Klamath Indian Reservation, Oreg.:
Appropriation for operation, etc., irrigation projects 579
Capital reserve fund created out of tribal funds; use of interest 872
Reimbursable loan fund established; use of 872
Administration by loan board 872
Limitation on additions 873
Repayments, credit of 873
Security, types of property as 872
Klamath Project, Oreg.-Calif., appropriation for operation, etc 594
Construction 595
Klamath River, Oreg., examination authorized 880
Knappton, Wash., examination of channel at, authorized 855
Koosharem Indian Reservation, Utah, area enlarged 241

L

Labor, Department of. *See also* Secretary of Labor.
Appropriation for—
Children's Bureau 300
Child-welfare services 301
Crippled children, services for 301
Maternal and child health services 301
Maternal and child welfare 301
Conciliation commissioners 298
Contingent expenses 298
Immigration and Naturalization Service 299
International Labor Office, liaison with 298
Labor Statistics, Bureau of 299
Printing and binding 298
Secretary, Office of 297
Labor Standards, Division of 297
Public Contracts, Division of 299
Traveling expenses 298
United States Employment Service 302
Women's Bureau 302
Deficiency appropriation for—
Audited claims 236, 778, 782
Damage claims 775
Immigration and Naturalization Service 225
Judgments 238, 776
Printing and binding 767
Secretary, Office of 13, 766
Labor Standards, Division of 766
Public Contracts, Division of 13

Labor, Department of—Continued. Page
Deficiency appropriation for—Contd.
Secretary, Office of—Continued.
Transporting Filipinos to Philippine Islands 13
Women's Bureau 225
Apprentices, labor standards for, formulation and promotion of 664
Effective date 665
National Youth Administration, duties transferred from 665
Publication of information 665
Filipino emigration. *See* Immigration and Naturalization Service.
Labor standards for apprentices, formulation and promotion of 664
Payment forbidden to person after nomination rejected by Senate 302
Statistical studies, continuance of, upon payment of cost 259
Wage rates, determination of, retention of personnel engaged in 297
Labor Office, International, appropriation for contribution 268
Labor Relations Board, National, appropriation for 339
Labor Statistics, Bureau of. *See* Labor, Department of.
La Crosse, Wis., time extended for bridging Mississippi River at 94
Lafayette River, Va., improvement authorized 846
Lake Michigan:
Examination of Indiana shore authorized 854
Time extended for bridging, opposite entrance of Chicago River, Ill 244
Lake of the Woods, payment of claims for damages due to fluctuation of water levels; appropriation authorized 843
Lake Okeechobee Drainage Area, Fla., examination authorized 853
Lake Okeechobee, Fla., improvement authorized 847
Lake Pontchartrain, La.:
Coast Guard station establishment on 169
Examination authorized 854
Lake Sabine, time extended for bridging, at Port Arthur, Tex 630
Lake Village, Ark., bridge authorized across Mississippi River at 745
Land Bank Commissioner. *See also* Emergency Farm Mortgage Act of 1933, Amendments.
Interest rate limitation on loans by 521
Land Banks. *See* Federal Farm Loan Act, Amendments.
Landis, Gilbert D., appropriation for acquisition of land from 764

Page

Land Patents, issue of, to States in adjudicating exchanges 748
Langley Field, Va., appropriation for improvements 452
Langley Memorial Aeronautical Laboratory, appropriation for maintenance 338
Larceny, offense added to bank-robbery statute 749
Lassen Volcanic National Park, Calif., appropriation for administration, etc 605
Latvia, Lithuania, and Estonia, appropriation for minister to 263
Laurel Hill Cemetery, Baltimore, Md., sale authorized 616
Lavaca River, Tex., examination authorized 854
Leavenworth, Kans., appropriation for penitentiary at 280
Legislative Branch of the Government.
See also Congress.
Appropriation for—
Architect of the Capitol 179
Capitol buildings and grounds 179
House Office Buildings 180
Library building and grounds 180
Senate Office Building 179
Botanic Garden 181
Capitol Police 178
Government Printing Office 184
Superintendent of Documents, Office of 185
House of Representatives—
Chaplain 174
Clerk hire 177
Clerk, Office of 174
Committee employees 174
Committee stenographers 176
Contingent expenses 177
Doorkeeper, Office of 175
Official reporters 176
Post office 176
Salaries and mileage 173
Sergeant at Arms, Office of 175
Speaker, Office of 174
Speaker's Table 174
Special and minority employees 176
Joint Committee on Printing 178
Legislative Counsel, Office of 178
Library of Congress 181
Card indexes, distribution 182
Contingent expenses 183
Increase of the Library 182
Index to State legislation 182
Legislative Reference Service 181
Library building 183
Printing and binding 183
Salaries 181
Sunday opening 182
Temporary services 182
Union catalogues, development, etc 182

Page

Legislative Branch of the Government—Continued.
Appropriation for—Continued.
Pages, payment of, first session, 75th Congress 470
Senate—
Chaplain 170
Clerical assistance 172
Committee employees 170
Contingent expenses 173
Overton, John H., payment of contested-election expenses 173
Folding room 172
Post office 172
Salaries and mileage 170
Secretary, Office of 170
Sergeant at Arms and Doorkeeper, Office of 172
Vice President, Office of 170
Statement of Appropriations 179
Tax Evasion and Avoidance, Joint Committee on 469
Deficiency appropriation for—
Architect of the Capitol 9, 214, 757
Capitol grounds 214
Audited claims 777, 780
Government Printing Office, payment to certain messengers on night duty 757
House of Representatives—
Appropriations, Committee on, salary increases, employees 756
Bankhead, William B., procurement of portrait of 9
Buchanan, James P., payment to widow of 214
Byrns, Joseph W., procurement of portrait of 9
Cary, Glover H., payment to widow of 9
Clerk, Office of, salary increases 756
Committee employees 756
Connery, William P., payment to widow of 756
Contested-election expenses 756
Contingent expenses 9
Document Room, increase in compensation of Superintendent 756
Doorkeeper, Office of 756
Duffey, Warren J., payment to widow of 9
Focht, Benjamin K., payment to widow of 214
Goodwin, Philip A., payment to widow of 756
Gregory, William V., payment to widow of 9
Jacobsen, Bernhard M., payment to widow of 9
McSwain, John J., payment to widow of 9

Page

Legislative Branch of the Government—Continued.
Deficiency appropriation for—Contd.
House of Representatives—Contd.
Montague, Andrew J., payment to widow of 9
Peyser, Theodore A., payment to sister of 756
Stubbs, Henry E., payment to widow of 214
Zioncheck, Marion A., payment to widow of 9
Joint Committee on Government Organization 9
Library of Congress 214
Books for adult blind 215
Legislative reference 214
Senate—
Bachman, Nathan L., payment to widow of 135
Document Room, increase in compensation of Superintendent 755
Folding speeches, etc 214
Inquiries and investigations 9, 214
Kitchens and restaurants, repairs, etc 756
Miscellaneous items 8, 214
Murphy, Louis, payment to widow of 8
Norbeck, Peter, payment to widow of 8
Robinson, Joseph T., payment to widow of 755
Secretary's Office, employment of laborer 214
Sergeant at Arms and Doorkeeper, Office of 9, 755
Trenwith, Edward J., payment to, for services 755
United States Constitution Sesquicentennial Commission 214, 756
Committee to Audit and Control the Contingent Expenses of the Senate, salary of assistant clerk, correction 325
Employees, retirement of. *See* Civil Service Retirement Act of 1930, Amendment.
Investigations and inquiries, restriction on payment of compensation from relief funds of persons not taken from relief rolls 10
Private vehicle restriction 186
Salary limitations, inquiries, investigations, etc., repeal of certain 9
Legislative Counsel, Office of:
Appropriation for 178
Employees, December salaries to be paid on December 20 199
Legislative Reference Service, appropriation for 181
Lemon Creek, Staten Island, N. Y., improvement authorized 845
Lepers, appropriation for care, transportation, etc 97
Lewis, Elmer A., appropriation for salary 176
Lewiston, Idaho, time extended for bridging Snake River at 477
Liberia, appropriation for minister to 263
Library, Joint Committee on, Albert Gallatin statue, approval of model and pedestal by 261
Library of Congress. *See also* Legislative Branch of the Government.
Annex, appropriation for continuing construction 180
Historical and naval documents, copies to be furnished to 117
Library of Congress Trust Fund Board, appropriation for 183
Lighthouse Keepers, continuation of existing classification and pay system 840
Lighthouses, Bureau of. *See* Commerce, Department of.
Lincolnton, Ga., time extended for bridging Savannah River at 28
Liquor Traffic in Africa, Convention Relating to, appropriation for contribution 268
Literary and Artistic Works, Conference to Revise Convention for Protection of, balances continued available for 228
Lithuania, appropriation for minister to 770
Lithuania, Estonia, and Latvia, appropriation for minister to 263
Little Callao Landing, Miss., project for maintenance and operation of dam abandoned 856
Little Colorado River, Ariz., examination authorized 879
Little Osage River, Kans., examination authorized 878
Little Sioux River, Iowa, examination authorized 879
Little White Salmon Fish Cultural Station, Wash., appropriation for removal of 220
Livingston, Mont., term of court provided at 474
Lockport, Ind., bridge authorized across Wabash River at 542
Locomotive Inspection, appropriation for 216
London, appropriation for dispatch agency 266
Long Island Intracoastal Waterway, N. Y., improvement authorized 845
Lookout Bight, N. C., channel from, to Back Sound, improvement authorized 847
Los Angeles, California:
Appropriation for—
Federal jail, construction 282
Hydrographic office expenses 118

Page

Los Angeles, California—Continued.
Inyo and Mono Counties, Calif., exchange of certain lands, etc., with, for benefit of Indians 70
Pacific Mercado. *See* separate title.
Post office, courthouse, etc., cost limit increased 14
Los Angeles River, Calif., flood control project extended 167
Losses in Shipment. *See* Government Losses in Shipment Act.
Louisiana:
Bayou Savage, portion declared nonnavigable in New Orleans 649
Caddo Parish, construction of certain bridges authorized 697
Lake Pontchartrain, Coast Guard station establishment on 169
Mississippi River, time extended for bridging, New Orleans-Gretna 631
River and harbor improvements authorized 847, 848
Preliminary examinations authorized 854, 878
Louisiana and Texas Intracoastal Waterway, La., improvement authorized 848
Louisville, Ky., limitation on sale price of old post office, etc., repealed 547
Lowell Creek, Alaska:
Appropriation for flood control 519
Examination authorized 880
Modification of flood control project 806
Lowell, Mass., bridge authorized across Merrimack River at 543
Lower Rio Grande Flood-Control Project, appropriation for construction, etc 269
Lower Thoroughfare, Deals Island, Md., examination authorized 852
Lower Willamette and Columbia Rivers, Oreg. and Wash., improvement authorized 849
Low-Rent-Housing Projects. *See* United States Housing Act of 1937.
Lummi Diking Project, Wash., appropriation for 577
Luxemburg, appropriation for minister to 263
Lytle Creek, Calif., examination authorized 879

M

Mackinaw River, Ill., examination authorized 879
Madden, William, payment to 757
Madison Barracks, N. Y., construction at, authorized 859
Magnetic and Seismological Work, appropriation for 293
Maine:
Appropriation for administration, Acadia National Park 604

Page

Maine—Continued.
Bridge authorized across Piscataqua River at Kittery 535
Coast Guard station establishment along coast of, authorized 259
Maine-New Hampshire Interstate Bridge Authority, consent of Congress granted to creation of 538
Release of, from accountability for loss of certain Federal property 204
Maine-New Hampshire Interstate Bridge Authority:
Authority granted for bridge construction across Piscataqua River 535
Consent of Congress granted to creation of 538
Malheur River, Oreg., examination authorized 880
Malone, N. Y., term of court at 623
Mammoth Cave National Park, Ky., lands added 871
Great Onyx and Crystal Caves, exclusion from, authorized 871
Manistique, Mich., establishment of Coast Guard station at 325
Manitowoc Harbor, Wis., improvement authorized 848
Manzanillo Island, Panama, disposal of lands on, by Panama Railroad Co., authorized 510
Appraisal; deposit of proceeds 511
Map of the World, International, appropriation for contribution 267
Mare Island, Calif., appropriation for construction, Navy Yard 110, 767
Marihuana Tax Act of 1937:
Definitions 551
Effective date 556
Enforcement, funds made available for 772
Forfeiture of contraband 555
Penalty provisions 556
Records, returns, etc 555
Rules to be prescribed 556
Shipments, without payment of tax, unlawful 553
Special occupational tax levied 551
Employees of registered persons 552
Importation, manufacture, etc., without payment, unlawful 553
Public officials, exemption 552
Territorial scope 556
Transfers—
Tax on 554
Payment by transferee 555
Written order from transferee 553
Exemptions 553
Marine Band:
Attendance authorized at—
Grand Army of the Republic, National Encampment of 543
Appropriation for expenses 768

Marine Band—Continued. Page
Attendance authorized at—Continued.
United Confederate Veterans' 1937 Reunion 200
Appropriation for expenses 250
Marine Casualties. *See* Vessels.
Marine Corps. *See also* Navy Department.
Assignment of enlisted men as custodians abroad 265
Civilian Conservation Corps, detail of Reserve officers to active duty with 320
Officers, assignment to assistant quartermaster and paymaster duty 537
Marine Corps League, incorporation of 558
Marine Inspection and Navigation, Bureau of. *See also* Commerce, Department of.
Continuous discharge books. *See* Seamen.
Radio operating rooms, etc., approval by 194
Transfer of certain funds authorized 324
Marine Schools:
Appropriation for maintenance, etc 99
"Port of Norfolk" construed 621
Maritime Commission. *See also* Merchant Marine Act, 1936, Amendments.
Appropriation for 759
Judgments 776
Kennedy, Joseph P., declared eligible for appointment as member of 57
Marketing Agreements. *See* Agricultural Marketing Agreement Act of 1937.
Market News Service, appropriation for 425
Marquette, Pere Jacques, President requested to proclaim anniversary of birth 207
Marshall Ford Dam, Tex., construction, operation, etc., authorized under Department of the Interior 850
Marshals, United States Courts, appropriation for fees, etc 224, 278, 766
Maryland:
Bridge authorized across—
Cambridge Creek, at Cambridge 633
Potomac River, at—
Hancock 476
Point of Rocks 250
Shepherdstown, W. Va., opposite 475
Sinepuxent Bay, at Ocean City 801
Fort Washington, construction at, authorized 861
Gaithersburg, acceptance of certain land in, authorized 659
Potomac Valley conservancy district, consent of Congress given to negotiation of compact for creation of 884
River and harbor improvements authorized 846
Preliminary examinations authorized 852

Massachusetts: Page
Appropriation for marine school maintenance 99
Bridge authorized across—
Merrimack River, at—
Haverhill 168
Lowell 543
Fort Devens, construction at, authorized 858
Minimum wage, etc., compact, N. H., R. I., and, consent of Congress given to 633
River and harbor improvements authorized 845
Preliminary examinations authorized 851
Springfield Armory, release of right-of-way at, authorized 95
Mayaguez, P. R., public indebtedness, increase allowed 844
McKeesport, Pa.:
Time extended for bridging—
Monongahela River 245
Youghiogheny River 245
McNeil Island, Wash.:
Appropriation for—
Acquisition of land for penitentiary site 225
Penitentiary 281
McNiel, Vivian H., payment of claim 18
McSwain, John J., payment to widow of 9
Meachims Creek, Va., examination authorized 852
Meat Inspection, appropriation for 406
Mediation Board, National, appropriation for 216, 340
Medical Department. *See* War Department.
Medicine and Surgery, Bureau of. *See* Navy Department.
Melbourne Harbor, Fla., improvement authorized 847
Memphis, Tenn., examination authorized for flood protection 878
Flood control project authorized 881
Menominee Indians, Wis., per capita payments to 591
Menominee, Mich., establishment of Coast Guard station at 325
Merchant Marine Act of 1936:
Amendments—
Maritime Commission—
Charter or sale of vessels acquired by, temporary operation in foreign commerce by private operators 57
Operation or lease of property under control of; use of proceeds 839

Merchant Marine Act of 1936—Contd. Page
Amendments—Continued.
Maritime Commission—Continued.
Shipping Board Merchant Fleet Corporation funds, use of 839
Sums transferred to 839
Construction fund, contracts authorized 759
Merchant Seamen. *See* Seamen.
Merom, Ind., time extended for bridging Wabash River at 475
Merrimack River, Mass.:
Bridge authorized across, at—
Haverhill 168
Lowell 543
Examination of inland waterway between Hampton Harbor, N. H., and, authorized 851
Mesa Verde National Park, Colo., appropriation for administration, etc 605
Mescalero Indian Reservation, N. Mex., appropriation for flood control 580
Mescalero Reservation, Ariz., appropriation for suppression of contagious diseases among cattle of 221
Metlakahtla, Annette Islands Reserve, Alaska, appropriation for relief of destitution, etc 586
Metlakahtla Indians, Alaska, deposit of certain revenues as trust funds 873
Mettawee River, N. Y., examination authorized 878
Mexican Claims. *See* Mexico; Special Mexican Claims Commission.
Mexican Fruitfly Control, appropriation for 416
Mexico. *See also* International Boundary Commission, United States and Mexico.
Appropriation for—
Ambassador to 263
General Claims Commission, United States and 229
General Claims Convention, United States and 271
Mexican fruitfly control, cooperation with 416
Pink bollworm control, cooperation with 417
Alvarez, Gen. Higinio, appropriation authorized for payment for account of 131
Appropriation for 769
Claims. *See* Special Mexican Claims Commission.
Miami, Fla., improvement of intracoastal waterway from, to Jacksonville 847
Harbor improvement authorized 847
Mianus River, Conn., examination authorized 851

Michigan: Page
Benton Harbor Canal, Benton Harbor, declared nonnavigable 243
Improvement project abandoned 243
Fort Wayne, construction at, authorized 861
River and harbor improvements authorized 848, 849
Preliminary examinations authorized 854, 855, 879
Michigan Canal, time extended for bridging, in Chicago, Ill 244
Middle Fork River, W. Va., examination authorized 879
Middle Rio Grande Conservancy District, N. Mex., appropriation for operation, etc., assessments, newly reclaimed Indian lands 579, 764
Middle River, Md., examination authorized 852
Migratory Birds, appropriation for protection of 420
Milford Harbor, Conn., improvement authorized 845
Military Academy:
Appropriation for 460
Alfaro, Olmedo, admission of, for instruction 303
Bachelor of science degree may be conferred upon living graduates 477
Cadet store, amount available for liquidation of certain debts 461
Panama Canal, selection of cadets by Governor of 534
Military Posts, construction, rehabilitation, etc., at certain, appropriation authorized for 857
Military Reservations, exchange of lands at certain, authorized 620
Milk, marketing agreements for. *See* Agricultural Marketing Agreement Act of 1937.
Milk Importation Act, appropriation for enforcement 428
Mill Creek, Md., examination authorized 852
Mill Creek, Tex., examination authorized 854
Mill Creek Valley, Ohio, examination authorized 879
Miller Bay, Wis., examination authorized 854
Mineral Lands and Mining:
Montana, validation of certain patents heretofore issued 485
Prospecting permits, extension of certain 842
Mineral Mining Investigations, appropriation for 601
Mines, Bureau of. *See also* Interior, Department of.
Detail of field employees; report to Congress 603

Mines, Bureau of—Continued. Page
Helium, acquisition, etc., of, transfer of sums to, by War and Navy Departments 111, 602
Maintenance and operation of production plants by; research, etc 886
Requisitions of, by Army, Navy, etc.; payment for 886
Public Health Service, details from, authorized 603
Scientific work for Government departments, etc., transfer of sums for, authorized 602
Minidoka Project, Idaho, appropriation for operation, etc 593
Minimum Wage Compact. *See* Interstate Compacts.
Mining Claims, suspension of annual assessment work on, held by location in United States 306
Ministers, appropriation for salaries of 263
Minnesota:
Appropriation for—
Indians, support, etc., of 581, 582, 585, 587, 590
Beaver Bay, establishment of Coast Guard station at 546
Fort Snelling Military Reservation, portion set aside as national cemetery; post cemetery not included 200
Pipestone National Monument, establishment, administration, etc 804
Reservation of quarrying rights to Indians 805
Rivers and harbors, preliminary examinations authorized 879
Mint, Bureau of the. *See* Treasury Department.
Mispillion River, Del., improvement authorized 845
Mission Indian Reservation, Calif., appropriation for flood control 580
Mississippi:
Appropriation for support, etc., of Indians 585
Bridge authorized across—
Mississippi River, at Greenville 745
Pearl River, at Jackson 244
Little Callao Landing, project for maintenance and operation of dam abandoned 856
Mississippi River, time extended for bridging, at Natchez 562
Rivers and harbors, preliminary examinations authorized 878
Mississippi River:
Appropriation for flood control, and tributaries 518
Bridge authorized across, Lake Village, Ark.-Greenville, Miss 745

Mississippi River—Continued. Page
Dams and locks, claims of contractors for excess construction costs submitted to Court of Claims 533
Examinations authorized 854, 879
Improvement authorized between Missouri River and Minneapolis, Minn. 848
At Minneapolis 848
Time extended for bridging, at—
La Crosse, Wis 94
Natchez, Miss 562
New Orleans-Gretna, La 631
St. Louis, Mo.-East St. Louis, Ill 244
St. Louis, Mo.-Stites, Ill 251
Mississippi Wild Life and Fish Refuge, appropriation for 296
Missouri:
Bridge authorized across—
Missouri River, at Arrow Rock 630
White River, at Eagle Rock 20
Jefferson Barracks, construction at, authorized 859
Mississippi River, time extended for bridging, at St. Louis 244, 251
Missouri River, time extended for bridging, at—
Arrow Rock 201
Saint Charles 201
Rivers and harbors, preliminary examinations authorized 878, 879
Missouri River:
Bridge authorized across, at—
Arrow Rock, Mo 630
Poplar, Mont 542
Dike to Farm Island, near Pierre, S. Dak., legalized 629
Time extended for bridging, at—
Arrow Rock, Mo 201
Atchison, Kans 24
Brownville, Nebr 28
Garrison, N. Dak 48
Niobrara, Nebr 477
Omaha, Nebr 471
Onawa, Iowa-Decatur, Nebr 48
Rulo, Nebr 167
Saint Charles, Mo 201
South Sioux City, Nebr.-Sioux City, Iowa 48
Mitchel Field, N. Y., appropriation for acquisition of land 452
Mixed Claims Commission, United States and Germany, appropriation for 229
Mobile Bay, time extended for bridging, between Cedar Point and Dauphin Island, Ala 250
Mobile Harbor, Ala., improvement authorized 847
Mobile National Cemetery, Mobile, Ala., sale authorized 616

Page

Moffett Field, Sunnyvale, Calif., sum available for installation of water-supply system 454
Mojave River, Calif., examination authorized 879
Mona Lake (Lake Harbor) Channel, Mich., examination authorized 854
Monetary and Economic Conference, International, balances continued available for 228
Mono County, Calif., exchange of certain lands, etc., in, with Los Angeles for benefit of Indians 70
Monongahela River:
Time extended for bridging, at—
Dravosburg-McKeesport, Pa 245
Pittsburgh 245
Rankin-Whitaker, Pa 245
Monroe Harbor, Mich., improvement authorized 848
Montague, Andrew J., payment to widow of 9
Montana:
Appropriation for—
Glacier National Park, administration, etc 604
Indians, support, etc., of 578, 580, 582, 585, 586, 589, 590
Sun River project, construction 595
Bridge authorized across Missouri River at Poplar 542
Conveyance of lands to, for public park, etc., purposes 746
Glasgow, accommodations for district court provided in Federal building 837
Livingston, term of court provided at 474
Mineral patents, validation of certain, heretofore issued 485
Rivers and harbors, preliminary examinations authorized 878
Yellowstone River, consent of Congress given to interstate compact with Wyo. for division of waters of 551
Montana National Bison Range, appropriation for maintenance 420
Monterey Harbor, Calif., examination authorized 855
Moosa, N. J., appropriation authorized for payment to Great Britain as indemnity for injuries to 129
Appropriation for 768
Morehead City Harbor, N. C., improvement authorized 847
Morocco, appropriation for contribution, Cape Spartel and Tangier Light 267
Morongo Irrigation Project, Calif., appropriation for 577
Motor Transport Regulation, appropriation for 337
Mount McKinley National Park, Alaska, appropriation for administration, etc. 605
Mount Rainier National Park, Wash., appropriation for administration, etc. 605
Mount Rushmore National Memorial Commission, appropriation for 567
Mount Vernon Memorial Highway, appropriation for maintenance, etc 609
Mulock Creek, Fla., examination authorized 878
Munitions. *See* Neutrality Act of 1935, Amendments.
Munitions Control Board, National. *See* Neutrality Act of 1935, Amendments.
Murphy, Louis, payment to widow of 8
Mutual Investment Companies, tax on 831
Mycology and Disease Survey, appropriation for 409
Myers Chuck Harbor, Alaska, examination authorized 855

N

Nantasket (Hull) Gut, Mass., examination authorized 851
Nanticoke River, Md., improvement authorized 846
Narcotic Drug Act, certain provisions made applicable to Marihuana Tax Act of 1937 555
Narcotic Laws, punishment of second, third, and subsequent offenders; method of bringing previous conviction before court 627
Narcotics, Bureau of. *See* Treasury Department.
Narcotics Convention of 1931, appropriation for implementing 268
Nashville, Tenn., examination authorized for flood protection 878
Natchez, Miss., time extended for bridging Mississippi River at 562
Natchez Trace Parkway, appropriation for continuing construction 608
National Advisory Cancer Council. *See* National Cancer Institute Act.
National Advisory Committee for Aeronautics, appropriation for 216, 338
National Arboretum, appropriation for maintenance, etc 409
National Archives, appropriation for 338
National Aviation Day, 1937, designation of 202
National Bank Associations, refund of excess duty 772
National Bituminous Coal Commission. *See* Bituminous Coal Act of 1937.
National Board for Promotion of Rifle Practice, appropriation for 467
National Cancer Institute Act:
Acceptance of gifts 561
Appropriations authorized 561, 562
Appropriation for 772

National Cancer Institute Act—Contd. Page
Effective date 562
National Advisory Cancer Council, establishment, composition, etc 560
Powers and duties 560
National Cancer Institute established as division in Public Health Service 559
Surgeon General, authority and duties 559, 560
National Capital Park and Planning Commission:
Appropriation for 339, 386, 758
National Gallery of Art, determination of building lines, etc., by 53
National Collection of Fine Arts, name of national gallery of art, Smithsonian Institution, changed to 53
National Education Association of the United States:
Charter amendments—
Board of Trustees, meetings, etc 257
Invested fund, investment, restriction on expenditure, etc 257
Secretary, selection of 258
Meetings, call of, provision repealed 258
Membership qualifications, etc 257
Officers 257
National Forest Reservation Commission, appropriation for 411
National Forests. *See also* Agriculture, Department of, Forest Service.
Columbia, Wash., lands added 622
Rogue River, Oreg., lands added 534
Snoqualmie, Wash., lands added 739
National Gallery of Art:
Construction authorized 51
George Washington Memorial Building, provisions for erection of, repealed 53
National Collection of Fine Arts, name of national gallery of art, Smithsonian Institution, changed to 53
Construction provisions repealed 53
Officers and employees, appointment, pay, etc 52
Trustees of, establishment of board of; composition, duties, etc 52
Upkeep by United States 52
Acceptance of gifts, etc., authorized 52
Appropriations authorized 52
National Gallery of Art, Smithsonian Institution, appropriation for 343
National Guard. *See also* War Department.
Army personnel on duty with, certain rent payments validated 724
National Housing Act, Amendments:
Debentures issued by Federal Housing Administrator, extension of period of guarantee 20
National Housing Act, Amendments—Con. Page
Insurance of financial institutions against loss, provisions extended 70
Limitation on liability authorized to be incurred 71
Maximum amount 71
Rehabilitation of property damaged by catastrophe 71
National Institute of Health, appropriation for maintenance 148
National Labor Relations Board, appropriation for 339, 758
National Mediation Board:
Appropriation for 216, 340
National Railroad Adjustment Board 340
National Monuments. *See also* National Park Service.
Appropriation for administration, etc 606
Pipestone, Minn., establishment, etc 804
National Munitions Control Board. *See also* Neutrality Act of 1935, Amendments.
Helium, export licenses, issuance by 887
National Museum, appropriation for 342
National Parks. *See also* Interior, Department of; National Park Service.
Everglades, Fla., prohibition on expenditure of public money for administration, etc., eliminated 742
Fort Donelson National Military, Tenn., lands added 881
Administration, etc 883
Great Smoky Mountains, N. C., exchange of certain lands within, for lands within Cherokee Indian Reservation 699
Hot Springs, Ark., cession of jurisdiction by State accepted 243
Mammoth Cave, Ky., lands added 871
Great Onyx and Crystal Caves, exclusion from, authorized 871
Shenandoah, police power assumed by United States; notification to Virginia 700
Yosemite, Calif., acquisition of lands for addition to 485
Appropriation for 764
National Park Service. *See also* Interior, Department of.
Cape Hatteras National Seashore, N. C., administration by 670
Fort Donelson National Military Park, Tenn., administration by 883
Lectures, use of funds for 607
Pipestone National Monument, Minn., administration by 804
Telephone installations, etc., authority for 607
National Railroad Adjustment Board, appropriation for 216, 340

National Training Schools, D. C., appropriation for ... Page 225, 282, 381
National Youth Administration:
Amount available for ... 353
Formulation, etc., of labor standards for apprentices, duties transferred to Department of Labor ... 665
Naturalization. *See* Citizenship and Naturalization.
Navajo Indian Reservation, Ariz.-N. Mex.:
Appropriation for—
Flood control ... 580
Fruitlands project, operation, etc ... 579
Hogback project, operation, etc ... 579
Navajo Indian Reservation, Utah, appropriation for flood control ... 580
Navajo Indians, Ariz.:
Appropriation for—
Improvements, purchase of, belonging to certain ... 572
Irrigation projects ... 576
Land, purchase of ... 572
Water supply, development of ... 576
Lands and water rights, funds available for leasing of ... 572
Navajo Indians, Utah, purchase of land for, funds available ... 572
Naval Academy:
Appropriation for ... 101
Maintenance and repairs ... 102
Bachelor of science degree may be conferred upon living graduates ... 477
Restriction on admissions to, after Jan. 30, 1937 ... 107
Sea-service requirements, appointees from enlisted men ... 107
Naval Home, Philadelphia, Pa., appropriation for ... 102
Naval Hospital and Medical School, D. C., replacement of present facilities authorized ... 663
Naval Observatory, appropriation for ... 226
Naval Oil Reserves:
Appropriation for—
Care, etc ... 97
Protection of interests of United States in matters affecting ... 340
Naval Records and Library, Office of, Navy Department, acceptance of gifts and bequests for, authorized ... 25
Investment of trust funds ... 25
Tax exemption ... 25
Naval Research Laboratory, appropriation for ... 97
Naval Reserve, appropriation for ... 100
Naval Reserve Officers' Training Corps:
Appropriation for ... 99
Personnel limit increased ... 563
Naval Stores Act, appropriation for administration ... 428
Naval-Stores Investigations, appropriation for ... Page 415
Naval Training Stations, appropriation for ... 98
Naval Vessels:
Appropriation for replacement of ... 114, 767
Auxiliary, construction of certain, authorized ... 544
Government yards, ratio of construction in ... 545
Pacific coast, differential for construction on ... 545
Naval War College:
Appropriation for—
Construction work ... 111
Maintenance, etc ... 98
Navidad River, Tex., examination authorized ... 854
Navigation. *See also* Vessels.
Damage to aids to, by private parties, collection of repair cost ... 667
Rivers, harbors, etc., establishment of aids to, authorized ... 667
Sunken watercraft, marking of, for protection of navigation; payment of cost ... 666
Navigation and Steamboat Inspection, Bureau of. *See* Marine Inspection and Navigation, Bureau of.
Navigation, Bureau of. *See also* Navy Department.
Enlisted men, Navy, details of, to ... 115
Navigation, Permanent International Commission of the Congresses of, appropriation for contribution ... 517
Navy. *See also* Navy Department.
Assignment of officers as inspectors, etc., of buildings abroad ... 273
Enlisted men as custodians ... 265
Auxiliary vessels, construction of certain, authorized ... 544
Civilian Conservation Corps, detail of Reserve officers to active duty with ... 320
Helium, requisition of, from Bureau of Mines ... 886
Reserve Officers' Training Corps, personnel limit increased ... 563
Navy Department. *See also* Secretary of the Navy.
Appropriation for—
Aeronautics, Bureau of ... 111, 116
Aviation ... 111
Compensation board ... 116
Construction and Repair, Bureau of ... 103, 116
Contingent expenses ... 97, 117
Engineering, Bureau of ... 102, 116
Engineering ... 102
Examining and retiring boards ... 116
General Board ... 116
Historical and naval documents, printing of ... 117

Navy Department—Continued. Page
Appropriation for—Continued.
Hydrographic Office 116
Miscellaneous, etc., expenses 117
Inspection and Survey, Board of 116
Judge Advocate General, Office of 116
Lepers, care of, Guam; transfer to Culion, P. I 97
Marine Corps 112
Civil employees, pay 113
General expenses 113
Pay 112
Medicine and Surgery, Bureau of 108, 116
Care of the dead 109
Medical Department 108
Naval Communications, Office of Director of 116
Naval Intelligence, Office of 116
Naval Observatory 116
Contingent, etc., expenses 118
Naval Operations, Office of Chief of 116
Naval petroleum reserves, operation and conservation 97
Naval Records and Library, Office of 116
Naval Research Laboratory 97
Navigation, Bureau of 98, 116
Instruments and supplies 99
Naval Academy 101
Naval Home, Philadelphia, Pa 102
Naval Reserve 100
Ocean and lake surveys 100
State marine schools 99
Training, education, and welfare 98
Ordnance, Bureau of 104, 116
Printing and binding 117
Prison farms and personnel 98
Replacement of naval vessels 114
Salaries 116
Secretary, Office of 96, 116
Expenses, miscellaneous 96
Supplies and Accounts, Bureau of 104, 116
Clothing, Naval Reserve 107
Fuel and transportation 108
Maintenance 107
Pay, subsistence, and transportation 104
Strategic and critical materials 108
Yards and Docks, Bureau of 109, 116
Contingent expenses 110
Maintenance 109
Public works 110
Deficiency appropriation for—
Audited claims 17, 236, 779, 782
Damage claims 15, 232, 776
Judgments 16, 233, 234, 776, 777
Marine Corps 768
Grand Army encampment, expenses of attendance 768
Naval Observatory 226
Naval vessels, replacement 767
Navigation, Bureau of 226

Navy Department—Continued. Page
Deficiency appropriation for—Contd.
Secretary, Office of 13, 226, 767
Collision damage claims 13, 767
Yards and Docks, Bureau of 226, 767
Aerial photographs for mapping projects, furnishing of, on request of Secretary of the Interior 599
Airplane factory construction, restriction on use of funds for 112
Alameda, Calif., acquisition of land for naval air station, amendment of Act providing for 56
Appropriations, department use restricted 115
Assignment of officers, etc., abroad, reimbursement for expenses 266
Coast air stations, number limited 112
Commissary privileges, foreign stations, extended to Foreign Service officers 63
Construction of first and alternate vessels at Government plants, etc 115
Contractors, furnishing of estimates by 115
Damage claims, naval aircraft, adjustment by Secretary of the Navy 112
Foreign fuel oil, restriction on purchase, etc 108
Government-owned automobiles, use restricted to official business 118
Helium, sum transferred to Bureau of Mines for acquisition of 111, 602
Letters patent, purchase of 115
Marine schools, "Port of Norfolk" construed 621
Medical Department, additional details of personnel for care of Veterans' Administration patients in naval hospitals 106
Naval air station, San Francisco Bay, Calif., establishment authorized 238
Construction, etc.; appropriation authorized 239
Naval Hospital and Naval Medical School, D. C., replacement of present facilities authorized 663
Naval Records and Library, Office of, acceptance of gifts and bequests for, authorized 25
Navigation, Bureau of, details of enlisted men to 115
Repairs, etc., other than at navy yards, restriction 115
San Diego, Calif., exchange of certain lands with, authorized 25
Special courses of instruction, restriction on 98
Time-measuring devices, restriction on payment to officers, etc., using, on work of employees 115

Navy Department—Continued. Page
Tulip, U. S. ship, memorial to officers, etc., Saint Inigoes Bay, Md., appropriation authorized for 259
Appropriation for 767
Neale Sound, Md., improvement authorized 846
Nebraska:
Appropriation for—
Homestead National Monument of America, development, etc 606
Indians, support, etc., of 585, 590
Fort Crook, construction at, authorized 858
Missouri River, time extended for bridging, at—
Brownville 28
Decatur 48
Niobrara 477
Omaha 471
Rulo 167
South Sioux City 48
North Platte project, operation of commercial system, amount available for 593
Rivers and harbors, preliminary examinations authorized 878
Necanicum River, Oreg., examination authorized 855
Nestucca River, Oreg., examination authorized 880
Netherlands:
Appropriation for ambassador to 263
Paula, Miguel, appropriation authorized for payment for account of family of 129
Appropriation for 768
Neuse River, N. C., examination authorized 853
Neutrality:
Spain, prohibition on exportation of arms, etc., to 3
Neutrality Act of 1935, Amendments:
American republics excepted 124
American vessels prohibited from carrying arms to belligerent states 126
Appropriations authorized 128
Appropriation for 266, 770
Arming of American merchant vessels prohibited 127
Definitions 128
Export of—
Arms, ammunition, and implements of war 121
Other articles and materials 122
Financial transactions 123
National Munitions Control Board, composition, duties, etc 124
Penalty provisions 128
Regulations 128
Separability of provisions 128

Neutrality Act of 1935, Amendments—Con. Page
Submarines and armed merchant vessels of belligerent nations, restriction on entry 127
Travel on vessels of belligerent nations 127
Use of American ports as base of supply 126
Nevada:
Appropriation for—
Boulder Dam Recreational Area, Ariz., and, administration, etc 607
Indian irrigation projects 577
Indians, support, etc., of 577, 578, 580, 582, 585, 586, 589, 590
New Bedford Harbor, Mass., improvement authorized 845
New Cumberland General Depot, Pa., exchange of lands at, authorized 857
New Hampshire:
Bridge authorized across Piscataqua River at Portsmouth 535
Maine-New Hampshire Interstate Bridge Authority, consent of Congress granted to 538
Minimum wage, etc., compact, Mass., R. I., and, consent of Congress given to 633
Rivers and harbors, preliminary examinations authorized 851
New Jersey:
Delaware River, time extended for bridging, near Trenton 21
Fort Monmouth, construction at, authorized 860
Palisades Interstate Park Commission, consent of Congress given to compact with N. Y. for creation of 719
Perth Amboy, claim of, submitted to Court of Claims 838
River and harbor improvements authorized 845
Preliminary examinations authorized 852
Newlands Project, Nev., appropriation for payment of charges against Paiute lands 578
New London Harbor, Conn., improvement authorized 845
New Mexico:
Appropriation for—
Carlsbad Caverns National Park, administration, etc 604
Carlsbad project, construction 595
Indian irrigation projects 577
Indians, support, etc., of 571, 572, 576, 577, 579, 580, 583, 585, 589, 590
Middle Rio Grande Conservancy District, expenses 764
Rio Grande project 593
Arch Hurley Conservancy District, construction of reclamation project authorized 557
Conveyance of public lands to 747

	Page
New Orleans, La.:	
Appropriation for—	
Dispatch agency	266
Hydrographic office expenses	118
Mint	151
Bayou Savage, portion declared nonnavigable in	649
Time extended for bridging Mississippi River to Gretna	631
Newport Bay, Calif., improvement authorized	849
Newport, R. I.:	
Appropriation for—	
Naval training station	98
Naval War College, construction work	111
Harbor improvement authorized	845
Newport, Wash., appropriation for care of graves of firefighters	412
Newtown Creek, N. Y., improvement authorized	845
New York:	
Appropriation for—	
Marine school maintenance	99
Seneca and Six Nations Indians, fulfilling treaty obligations with	589
Delaware River, time extended for bridging, at Barryville	746
Fort Niagara, appropriation authorized for reconstruction expenses	128
Appropriation for	452
Fort Niagara Military Reservation, lease of portion to Old Fort Niagara Association, authorized	478
Fort Schuyler Military Reservation, lease to State authorized	696
Hudson Falls, exchange of land for postoffice site authorized	202
Madison Barracks, construction at, authorized	859
Northern Judicial District, term at Malone	623
Palisades Interstate Park Commission, consent of Congress given to compact with N. J. for creation of	719
Preliminary examination authorized of—	
Buffalo Creek	546
Cayuga Creek	546
Cazenovia Creek	546
River and harbor improvements authorized	845
Preliminary examinations authorized	851, 852, 855, 878
St. Lawrence River, time extended for bridging, at Ogdensburg	631
Scajaquada Creek declared nonnavigable in Buffalo	165
New York, N. Y.:	
Appropriation for—	
Assay office	151
Dispatch agency	266
New York, N. Y.—Continued.	Page
Appropriation for—Continued.	
Grand Central Station Post Office and Office Building, construction	774
Harbor deposits, etc., prevention of	516
Hydrographic office expenses	118
Navy Yard, improvements	767
Pneumatic-tube service	161
Harbor improvement authorized	845
New York World's Fair, 1939:	
Copyrights and patents, protection of, of foreign exhibitors	254
Certificates of proprietorship, issuance of	254
Duration of protection	256
Infringement of protected matter, liabilities and remedies	255
Penalty provisions	255
Reimbursement of incurred expenses	256
Dutiable articles imported for exhibition purposes admitted free; regulations	668
Participation by United States	493
Appropriation authorized	495
Appropriation for	759
Commission established, composition, etc	493
Commissioners, Assistant, appointment, salaries, powers; other personal services	493
Contributions, acceptance of, etc	496
Cooperation of Government departments, etc	494
Report to Congress	496
Termination of Commission	496
Nicaragua:	
Appropriation for minister to	263
Williams, Mercedes V. de, and others, appropriation authorized for payment for account of	133
Appropriation for	769
Ninth Judicial Circuit, appointment of two additional judges authorized	64
Niobrara, Nebr., time extended for bridging Missouri River at	477
Nishnabotna River, Iowa, examination authorized	879
Nonresident Aliens, tax on income	830
Norbeck, Peter, payment to widow of	8
Norfolk, Va.:	
Appropriation for—	
Hydrographic office expenses	118
Naval Air Station, equipment	226
Naval Operating Base, improvements	226
Naval Training Station	98
Navy Yard, improvements	110
Commemorative coinage, three-hundredth anniversary of original land grant	322

North Canadian River, Okla., studies directed for development of reclamation projects ... Page 718
Examination authorized ... 878
North Carolina:
Appropriation for—
Great Smoky Mountains National Park, Tenn., and, administration, etc ... 604
Indians, support, etc., of ... 585, 587
Cape Hatteras National Seashore, establishment, etc ... 669
Fort Bragg, construction at, authorized ... 858
Great Smoky Mountains National Park, exchange of certain lands within, for lands within Cherokee Indian Reservation ... 699
Grover, lease of quarters for post office continued ... 842
Middle Judicial District, Scotland County transferred to ... 671
River and harbor improvements authorized ... 846, 847
Preliminary examinations authorized ... 853
North Dakota:
Appropriation for support, etc., of Indians ... 575, 583, 585, 590
Missouri River, time extended for bridging, at Garrison ... 48
Northeastern Penitentiary, appropriation for ... 281
Northeast Harbor, Maine, examination authorized ... 851
Northeast River, Md., improvement authorized ... 846
Northern Pacific Halibut Act of 1937:
Definitions ... 325
Effective date ... 328
Enforcement of provisions ... 327
Penalty provisions ... 328
Records and reports to be maintained; inspection ... 327
Rules and regulations ... 328
Unlawful acts ... 326
Northern Pacific Railway Co., etc., appropriation for expenses of prosecuting case against ... 224, 766
North Platte Project, Nebr.-Wyo., amount available for operating commercial system ... 593
Northport Harbor, N. Y., examination authorized ... 851
North Slough, Oreg., construction of dam for regulation of flow of tidal waters authorized ... 856
Northwestern Air Base, Wash., appropriation for improvements ... 452
Northwest Territory Celebration Commission: Page
Publication and sale of certain historical, etc., material authorized ... 328
Printing, etc., other than at Government Printing Office ... 329
Norwalk Harbor, Conn., examination authorized ... 851
Norway, appropriation for minister to ... 263
Noyo River, Calif., examination authorized ... 855

O

Oakland, Calif., disposition of post office building and sale of site ... 65
Conveyance of portion to city ... 65
Oaths of Office, dispensing with unnecessary renewals of ... 640
Ocean and Lake Surveys, appropriation for ... 100
Ocean City, Md.:
Bridge authorized across Sinepuxent Bay at ... 801
Examination of inland waterway from, to Chincoteague Bay, authorized ... 852
Official Gazette, Patent Office, appropriation for printing, etc ... 297
Ogden River Project, Utah, appropriation for construction ... 595
Ogdensburg, N. Y., time extended for bridging St. Lawrence River at ... 631
Ogden Slip, time extended for bridging, in Chicago, Ill ... 244
Ohio:
Great Lakes Exposition. *See* separate title.
Pymatuning Lake, consent of Congress given to compact with Pennsylvania, relating to ... 865
River and harbor improvements authorized ... 849
Preliminary examinations authorized ... 855, 879
Southern Judicial District, appointment of additional judge ... 805
Ohio River:
Bridge authorized across, at Owensboro, Ky ... 641
Levees, floodwalls, etc., construction authorized ... 876
Pollution deposits, examination authorized for elimination of ... 855
Time extended for bridging, Rockport, Ind.-Owensboro, Ky ... 243
Oil. *See* Petroleum.
Oil and Gas, consent of Congress given to continuance of interstate compact for conservation of ... 617

Oil and Gas Investigations, appropriation for---- Page 601
Oil and Gas Permits, public lands, issue to certain applicants authorized---- 808
Oil Pollution of Navigable Waters, Conference on, balances continued available for---- 229
Oil World Exposition, Houston, Tex.:
Dutiable articles imported for exhibition admitted free; regulations---- 740
Invitations to States and foreign countries to participate authorized---- 740
No Federal obligation incurred---- 741
Oklahoma:
Appropriation for—
Indian chartered corporations, loans to---- 576
Indians, support, etc., of---- 576, 581, 583, 585, 588, 589, 590
Payment to, from royalties, oil and gas, south half of Red River---- 570
Platt National Park, administration, etc---- 605
Chickasaw Indians, sale of certain dormitory properties authorized---- 537
Fort Sill, construction at, authorized-- 860
Gross production tax on minerals, restricted Indian lands, manner of payment---- 806
Quapaw Indians, State gross production tax on lead and zinc produced on lands of, authorized---- 68
Exemption from other State taxes--- 68
Reclamation projects, studies directed for development of, on Cimarron, Washita and North Canadian Rivers---- 718
Rivers and harbors, preliminary examinations authorized---- 878
Western Judicial District, court accommodations at Shawnee---- 625
Old-Age Assistance. *See also* Social Security Board.
Appropriation for grants to States for-- 344
Old Fort Niagara Association, lease of portion of Fort Niagara Military Reservation to, authorized---- 478
Old River, Calif., improvement authorized---- 849
Olympia Harbor, Wash., improvement authorized---- 849
Omaha-Council Bluffs Missouri Bridge Board of Trustees, commencement of construction recognized; bridge deemed Federal instrumentality, etc- 471
Omaha, Nebr., time extended for bridging Missouri River at---- 471
Onancock River, Va., improvement authorized---- 846
Onawa, Iowa, time extended for bridging Missouri River at---- Page 48
Ontonagon Harbor, Mich., improvement authorized---- 848
Ordnance, Bureau of. *See* Navy Department.
Ordnance Department. *See* War Department.
Oregon:
Appropriation for—
Crater Lake National Park, administration---- 604
Indians, support, etc., of- 579, 583, 585, 587
Klamath project, construction, operation, etc---- 594, 595
Oregon Caves National Monument, lighting system, etc---- 606
Owyhee project, construction, operation, etc---- 594, 595
Bonneville project. *See* separate title.
Clackamas County, conveyance of lands to, for park purposes---- 840
Columbia River, time extended for bridging, at—
Astoria---- 563
The Dalles---- 27
Eastside, construction of dam, etc., at, authorized---- 856
North Slough, construction of dam for regulation of flow of tidal waters authorized---- 856
River and harbor improvements authorized---- 849
Preliminary examinations authorized---- 855, 880
Rogue River National Forest, lands added to---- 534
Snake River, examination authorized--- 26
Oregon and California Railroad Lands:
Appropriation for—
Payments to certain counties in Oregon in lieu of taxes---- 221, 570
Surveys, etc., of land and timber---- 569
Conservation management of timberlands under Federal jurisdiction--- 874
Classification of lands for agricultural purposes; restoration to entry--- 875
Cooperative agreements authorized-- 874
Grazing, lease of land for; use of receipts---- 875
Land-grant fund, annual distributions-- 875
Administrative expenses---- 876
Counties, payments to---- 875
Reimbursable charges against, payment of---- 876
Rogue River National Forest, transfer of certain revested, to---- 534

Oregon Caves National Monument, Oreg., appropriation for lighting system, etc---- Page 606
Organized Reserves. *See* War Department.
Orlando, Fla., courtrooms for Southern District court, at---- 119
Orland Project, Calif., appropriation for operation, etc---- 593
Construction, etc., work---- 595
Orowoc Creek, N. Y., examination authorized---- 851
Osage Nation, Okla., appropriation for education of Indians---- 581
Ottawa River, Ohio, examination authorized---- 855
Ouachita River:
Examinations authorized---- 854, 878
Improvement authorized---- 848
Overton, John H., appropriation for payment of contested-election expenses-- 173
Owensboro, Ky.:
Bridge authorized across Ohio River at-- 641
Time extended for bridging Ohio River at---- 243
Owyhee Project, Oreg., appropriation for construction, operation, etc---- 594, 595
Owyhee River, Oreg., examination authorized---- 880
Oysters, leasing of bottoms for commercial cultivation, Alaska, authorized-- 557

P

Pacific Coast, appropriation for survey expenses---- 293
Pacific Halibut Act. *See* Northern Pacific Halibut Act of 1937.
Pacific Mercado:
Invitation to foreign countries to participate---- 835
Recognition extended by United States; participation by executive departments authorized---- 835
Pacific Salmon Fisheries Commission, International, appropriation for share of expenses---- 770
Packers and Stockyards Act, appropriation for expenses under---- 406
Padanaram Harbor, Mass., examination authorized---- 851
Padre Island, examination of channels to Gulf of Mexico, authorized---- 854
Pajaro River, Calif., examination authorized---- 880
Palacios, Tex., examination of channel to Intracoastal Waterway---- 854
Pala Irrigation Project, Calif., appropriation for---- 577
Palarm Creek, Ark., examination authorized---- 878
Palisades Interstate Park Commission, consent of Congress given to compact for creation of---- Page 719
Palisades Interstate Park, N. Y., conveyance of Stony Point Light Station Reservation to; property transferred in exchange---- 549
Palm Springs Reservation, Calif., sale or lease of land for public airport authorized---- 811
Pamlico River, N. C., improvement authorized---- 846
Pamlico Sound, N. C., examinations authorized---- 846, 853
Panama:
Appropriation for—
Hydrographic office expenses---- 118
Minister to---- 263
Payment to government of---- 267
Corozal General Depot, construction at, authorized---- 861
Fort Clayton, construction at, authorized---- 861
Fort Davis, construction at, authorized---- 861
Fort de Lesseps, construction at, authorized---- 862
Fort Kobbe, construction at, authorized---- 862
Manzanillo Island, disposal of lands on, by Panama Railroad Co., authorized---- 510
Appraisal; deposit of proceeds---- 511
Panama Canal:
Appropriation for seacoast defenses---- 460
Inland Waterways Corporation, capital stock, appropriation repealed---- 521
Retirement annuities for certain former employees of---- 619
Superannuation pay for certain employees not qualifying under Retirement Act---- 478
Tolls, measurement of vessels for purposes of determining---- 750
Passenger tolls---- 751
Panama Canal Zone. *See* Canal Zone.
Panama Railroad Company:
Citizenship, persons born on or after Feb. 26, 1904 whose parent employed by---- 558
Manzanillo Island, Panama, disposal of lands on, authorized---- 511
Appraisal; deposit of proceeds---- 512
Marine and fire insurance, carriage of, by---- 511
Retirement annuities for certain former employees of---- 619
Pan American Exposition:
Invitation to foreign countries to participate---- 831

Pan American Exposition—Continued. Page
Participation by United States 831
Appropriation authorized 832
Commissioner, appointment, etc 831
Contributions, acceptance of 834
Cooperation of Government departments 832
Employees 832
Report to Congress 834
Pan American Institute of Geography and History, appropriation for contribution 268
Pan American Republics, invitation to participate in Greater Texas and Pan American Exposition, authorized 19
Pan American Sanitary Bureau, appropriation for contribution 267
Pan American Sanitary Conference, Tenth, appropriation authorized for participation expenses 198
Pan American Union, appropriation for contribution 267
Papago Indian Reservation, Ariz.:
Appropriation for development of water supply 576
Area enlarged 536
Order withdrawing lands from mineral entry revoked 863
Paraguay, appropriation for minister to 263
Park River, Conn., declared nonnavigable 201
Pass-a-Grille, Fla., establishment of Coast Guard station at 169
Pass Cavallo, Tex., channel from, to Port Lavaca, improvement authorized 848
Passport Agencies, appropriation for 262
Patent Office. *See* Commerce, Department of.
Patents:
Protection of foreign, at—
Golden Gate International Exposition 211
New York World's Fair 1939 254
Paula, Miguel, appropriation authorized for payment to the Netherlands for account of family of 129
Appropriation for 768
Pawnee Indians, Okla., appropriation for fulfilling treaty obligations 591
Pawtuxet River, R. I., examination authorized 878
Peanuts, appropriation for collection of statistics 426
Pearl Harbor, Hawaii, appropriation for improvements, Navy Yard 110
Pearl River, bridge authorized across, at Jackson, Miss 244
Pecos River, preliminary surveys for run-off retardation directed 864
Penal and Correctional Institutions, appropriation for 280
Penal and Penitentiary Commission, International, appropriation for contribution 268
Penitentiaries, United States, appropriation for maintenance, etc 280
Pennsylvania:
Appropriation for marine school maintenance 99
Allegheny River, time extended for bridging, at Pittsburgh 245
Carlisle Barracks, construction at, authorized 858
Delaware River, time extended for bridging, at Shohola 746
Duplicate check, issue of, to Treasurer, in lieu of lost original 66
Frankfort Arsenal, construction at, authorized 859
Monongahela River, time extended for bridging, at—
Dravosburg-McKeesport 245
Pittsburgh 245
Rankin-Whitaker 245
New Cumberland General Depot, exchange of lands at, authorized 857
Potomac Valley conservancy district, consent of Congress given to negotiation of compact for creation of 884
Pymatuning Lake, consent of Congress given to compact with Ohio relating to 865
Rivers and harbors, preliminary examinations authorized 855, 878, 879
Youghiogheny River, time extended for bridging, at McKeesport 245
Pensacola, Fla.:
Appropriation for improvements, Naval Air Station 226
Harbor improvements authorized 847
Pensaukee Harbor, Wis., improvement authorized 848
Pensions. *See also* World War Veterans.
Indian Wars veterans, rates 786
Peacetime veterans, protection of, placed on rolls after Mar. 19, 1933 798
Peoria, Ill., post office and courthouse, cost limit increased 14
Pere Jacques Marquette, President requested to proclaim anniversary of birth 207
Perishable Agricultural Commodities Act, appropriation for administration 425
Perishable Agricultural Commodities Act, 1930, Amendments:
Definitions 725
Inspectors, employment of 730
Certificates of inspection, penalty for counterfeiting, etc 731
Liability to persons damaged 728

Perishable Agricultural Commodities Act, 1930, Amendments—Continued. Page
Licenses—
Issue and force of 726
Refusal of, causes for 726
Settlement of liability for violation 726
Suspension or revocation, grounds for 730
Non-residents, complaints by 728
Reparation order, decision where hearing not required, etc 728
Suit to enforce payment; appeal 729
Violations, complaint and investigation 728
Permanent Association of International Road Congresses, appropriation for contribution 268
Permanent International Commission of the Congresses of Navigation, appropriation for contribution 517
Personal Holding Companies, tax on. *See* Income Tax.
Perth Amboy, N. J., claim of, submitted to Court of Claims 838
Peru, appropriation for ambassador to 263
Petersburg, Va., appropriation for reformatory camp 281
Petoskey Harbor, Mich., examination authorized 855
Petroleum, regulation of interstate shipment of, existing provisions continued until June 30, 1939 257
Petroleum Conservation Division. *See* Interior, Department of.
Petroleum Exposition. *See* International Petroleum Exposition, Tulsa, Okla.
Peyser, Theodore A., payment to sister of 756
Philadelphia, Pa.:
Appropriation for—
Hydrographic office expenses 118
Mint 151
Naval Home, maintenance, etc 102
Navy Yard, improvements 767
Philippine Insurrection, honorable discharges to veterans discharged for age, etc., misrepresentation 203
Philippine Islands:
Appropriation for—
Filipino emigration from United States, expenses 13
High Commissioner to, Office of 516
Joint Committee of American and Philippine Experts, American section 228
Filipino emigration from United States, time extended for making application for 165
High Commissioner to—
Oaths, administration of, by certain officials in office of; false statements, etc., penalty for 621
Authenticated documents, admissibility in evidence 622

Philippine Islands—Continued. Page
Sugar Act of 1937, basis of determination of quota under 905
Payment to; use of funds 915
Phoeniz, Ariz., appropriation for education of Indians 582
Phony Peach Eradication, appropriation for 416
Physics, International Union of, appropriation for contribution 268
Pickwick Landing Dam, appropriation for continuing construction 217
Pierre, S. Dak.:
Appropriation for education of Indians 583
Farm Island—
Construction, operation, etc., amusement and recreational facilities on, authorized 648
Dike to Missouri River legalized 629
Pima Indians, Ariz., appropriation for irrigating tribal lands, etc 577
Pine Ridge, S. Dak., school building construction, funds continued available 582
Pine River Project, Colo., appropriation for construction 595
Pink Bollworm Control, appropriation for 417
Pipestone, Minn., appropriation for education of Indians 582
Pipestone National Monument, Minn., establishment, administration, etc 804
Reservation of quarrying rights to Indians 805
Piscataqua River, bridge authorized across, at Portsmouth, N. H 535
Pithlachascotee River, Fla., examination authorized 853
Pittsburgh, Pa.:
Appropriation for maintenance, etc., mining experiment station 601
Reservoir system for protection of, authorized 95
Time extended for bridging—
Allegheny River 245
Monongahela River 245
Plant Diseases, etc., appropriation authorized for control of emergency outbreaks of 57
Appropriation for 120, 514
Plant Industry, Bureau of. *See* Agriculture, Department of.
Plant Quarantine Act, appropriation for enforcement 415
Platte River, Nebr., examination authorized 878
Platt National Park, Okla., appropriation for administration, etc 605
Plattsburg Barracks Military Reservation, N. Y., exchange of land at 620
Playa Del Ray Harbor, Calif., examination authorized 855

Page

Pleasantville, N. J., examination of waterway from, through Lake Bay, authorized 852
Plum Point Creek, Md., examination authorized 852
Plum Point, Va., examination authorized 853
Pocomoke River, Md., examination authorized 852
Point Barrow Hospital, Alaska, appropriation for reconstruction, etc 222
Point Lookout, Confederate Cemetery, Md., sale authorized 616
Poland, appropriation for ambassador to 263
Poplar, Mont., bridge authorized across Missouri River at 542
Port Angeles Harbor, Wash., examination authorized 855
Port Arthur, Tex., time extended for bridging Port Arthur at 630
Port Frederick, Alaska, examination of waterway to Tenakee Inlet, authorized 855
Portland, Maine:
Appropriation for hydrographic office expenses 118
Harbor examination authorized 851
Portland, Oreg., appropriation for hydrographic office expenses 118
Port Lavaca, Tex., channel from, to Pass Cavallo, improvement authorized 848
Portsmouth, N. H., bridge authorized across Piscataqua River at 535
Portugal, appropriation for minister to 263
Postage Rates, extension of 358
Postal Service. *See also* Post Office Department.
Alaska, air mail, surcharge provided for 725
Bills or statements of account, postage rate on, produced by mechanical process 119
Blind, special postage rates provided on certain matter for 66
Grover, N. C., post office, lease for quarters continued 842
Laborers, credit of fractional part of year's substitute service toward promotion 840
Messengers, forty-hour law extended to 651
Motor-vehicle service, time credits allowed substitutes 650
Postmasters, third- and fourth-class offices, compensation for ad interim service 71
Railway Mail Service, stenographer grade provided, offices of chief clerks and superintendents 647
Star-route contracts, authority of Postmaster General to withhold awarding of, for 60 days after March 1, 1937 24

Postal Service—Continued. Page
Superintendents, classified stations, credit for substitutes in computing compensation 841
Watchmen, forty-hour law extended to 651
Postmaster General. *See also* Post Office Department.
Government Losses in Shipment Act, regulations by 479
Star-route contracts, authority to withhold awarding of, for 60 days after March 1, 1937 24
Post Office Department. *See also* Postal Service; Postmaster General.
Appropriation for—
Accounts, Bureau of 156
Chief Inspector, Office of 156, 157
Rewards, payment of 157
Contingent expenses 156
First Assistant Postmaster General, Office of 156, 158
Fourth Assistant Postmaster General, Office of 156, 160
Equipment shops, D. C 161
Pneumatic-tube service 161
Rent, light, fuel, first-, second-, and third-class offices 161
Stationery, supplies, etc 160
Transportation, equipment, etc 162
Vehicle service 162
Postmaster General, Office of 155, 157
Adjusted losses and contingencies 157
Personal or property damage claims 157
Rewards to postal employees for inventions 157
Travel expenses 157
Printing and binding 156
Public buildings, maintenance and operation 162
Purchasing Agent, Office of 156
Second Assistant Postmaster General, Office of 156, 158
Balances due foreign countries 159
Contract Air Mail Service 159
Foreign mail transportation 159
Indemnities, international mail 160
Railway Mail Service 159
Rural Delivery Service 160
Star-route service 158
Transportation of mails 159
Solicitor, Office of 156
Third Assistant Postmaster General, Office of 156, 160
Indemnities, domestic mail 160
Stamps and stamped paper, manufacture of 160
Unpaid money orders 160
Deficiency appropriation for—
Audited claims 17, 237, 780, 783
Chief Inspector, Office of 226
Rewards, payment of 226

Post Office Department—Continued. Page
Deficiency appropriation for—Contd.
Damage claims 15, 232, 776
First Assistant Postmaster General, Office of 227
Carfare and bicycle allowance 227
City delivery carriers 227
Clerks, first-, second-, and third-class offices 227
Postmasters, compensation 227
Special-delivery fees 227
Judgments 15, 233
Postmaster General, Office of 226
Printing and binding 226
Second Assistant Postmaster General, Office of 13, 227, 768
Contract air-mail service 13, 227, 768
Foreign-mail transportation 227
Railroad transportation and mail messenger service 227
Third Assistant Postmaster General, Office of 227
Stamps and stamped paper, manufacture, etc., of 227
Adjusted Compensation Payment Act, advances from Treasury Department for expenses in handling bonds, authorized 229
Alaska, air mail, surcharge for, provided 725
Automobiles, cost limitation; use restricted to official business 163
Bills or statements of account, postage rate on, produced by mechanical process 119
Blind, special postage rates provided for certain matter for 66
Deficiency in postal revenues, funds from Treasury for 163
Estimates for appropriations in the field, use of appropriations for 156
Field service appropriations not to be used for Department 156
Payment forbidden to persons after nomination rejected by Senate 164
Postmasters, third- and fourth-class offices, compensation to persons acting during vacancy, etc 71
Scientific investigations by Bureau of Standards 163
Telephone service, contracts for 162
Third- and fourth-class post offices, compensation for service during vacancy, etc 71
Travel expenses of civilians when transferred; restriction 163
Travel expenses payable from service appropriations 156
Potato Act, 1935, appropriation for refund of taxes erroneously, etc., collected under 230
Poteau River, Ark., examination authorized Page 878
Potomac River:
Bridge authorized across, at—
Frederick County, Md.–Loudoun County, Va 250
Hancock, Md 476
Shepherdstown, W. Va 475
Examination authorized 878
Land claims along shore of, appropriation for settlement of 763
Pollution of, compact for creation of conservancy district for prevention of, consent of Congress given for negotiation of 884
Time extended for bridging, at Dahlgren, Va 241
Powder River, Oreg., examination authorized 880
Power Commission. *See* Federal Power Commission.
Prague, Czechoslovakia, appropriation for remodeling legation 266
President of the United States:
Appropriation for—
Compensation 329
Protection of 147, 274
Traveling expenses 330
Appointment of—
Civilian Conservation Corps, Director 319
Coast Guard Academy, professors as heads of departments 66
Counselor of the Department of State 169
Emergency Relief Appropriation Act of 1937, supervisory, etc., officers 355
General Anthony Wayne Memorial Commission 695
Golden Gate International Exposition, Commissioner 489
Greater Texas and Pan American Exposition, Commissioner General 58
Housing Authority, United States, Administrator 889
National Bituminous Coal Commission 73
Consumers' Counsel 74
New York World's Fair, Commissioner 493
Pan American Exposition, Commissioner 831
Railroad Retirement Board, members 314
United States Constitution Sesquicentennial Commission, Director General 695
Canal Zone—
Air navigation regulations by, pending action by Congress 486
Personnel, appointment, removal, fixing of compensation by 487

President of the United States—Contd. Page
Delaware River Valley Tercentenary, invitation to Finland to participate 813
Emergency Relief Appropriation Act of 1937, rules and regulations by 354
Executive Orders—
Marihuana Tax Act of 1937, carrying provisions into effect in Virgin Islands 556
Special Mexican Claims Commission, termination of 785
Foreign-trade agreements, extension of authority to enter into 24
Gold Reserve Act of 1934, Amendment, extension of powers relating to stabilization fund, etc 4
Greater Texas and Pan American Exposition, invitation to Pan American Republics and Canada to participate, authorized 19
Inaugural ceremonies, 1937. *See* Inaugural Ceremonies of 1937.
International Congress of Architects, invitation to foreign countries to participate 441
International Petroleum Exposition, Tulsa, Okla., invitation to States and foreign countries to participate 742
Oil World Exposition, Houston, Tex., invitation to States and foreign countries to participate 740
Pacific Mercado, invitation to foreign countries to participate 835
Pan American Exposition, invitation to foreign countries to participate 831
Proclamations authorized—
National Aviation Day 202
Neutrality Act of 1935, Amendments 121
Pere Jacques Marquette, tercentenary of birth of, June 1, 1937 207
Pulaski's Memorial Day 62
Spain, termination of prohibition on exportation of arms, etc., to 3
Sugar Act of 1937, suspension of provisions in national emergency 916
Thomas Jefferson's Birthday 668
Stabilization fund, extension of powers relating to 4
Sugar Act of 1937, suspension of provisions in national emergency 916
Tariff Act of 1930, extension of authority to enter into foreign-trade agreements 24
Unemployment, etc., census, taking of, under direction of 883
Presidio of San Francisco, Calif., construction at, authorized 860
Presumpscot River, Maine, examination authorized 851

Printing and Binding: Page
Appropriation for—
Agriculture, Department of 397
American Battle Monuments Commission 330
Board of Tax Appeals 331
Central Statistical Board 331
Commerce, Department of 284
District of Columbia 364
Employees' Compensation Commission 333
Executive Office 330
Farm Credit Administration 433
Federal Communications Commission 334
Federal Power Commission 335
Federal Trade Commission 335
Fine Arts, Commission of 567
General Accounting Office 336
Interior, Department of the 566
Interstate Commerce Commission 338
Justice, Department of 274
Labor, Department of 298
Library of Congress 183
National Advisory Committee for Aeronautics 338
National Archives 339
National Labor Relations Board 339
National Mediation Board 340
National Railroad Adjustment Board 340
Navy Department 117
Post Office Department 156
Railroad Retirement Board 341
Rural Electrification Administration 341
Securities and Exchange Commission 342
Smithsonian Institution 343
Social Security Board 344
State, Department of 262
Tariff Commission 345
Treasury Department 139
Veterans' Administration 347
War Department 444
Deficiency appropriation for—
Charles Carroll of Carrollton Bicentenary Commission 10
Commerce, Department of 219
District of Columbia 12
Courts 218
District of Columbia Airport Commission 10
Farm Credit Administration 11
Federal Trade Commission 135
Justice, Department of 765
Labor, Department of 767
National Labor Relations Board 758
Post Office Department 226
State, Department of 227
Tennessee Valley Authority 217
Treasury Department 229
Budget, Bureau of the 14

Printing, Division of. *See* Treasury Department. Page
Printing, Joint Committee on, appropriation for 178
Prisons, Bureau of. *See* Justice, Department of.
Probation System, United States Courts, appropriation for 282
Processing Taxes, appropriation for refund of certain, erroneously, etc., collected 230
Proclamations. *See* President of the United States.
Procurement Division. *See* Treasury Department.
Producer Referendum. *See* Agricultural Marketing Agreement Act of 1937.
Production Credit Corporations. *See* Farm Credit Act of 1933, Amendments.
Prospecting Permits, extension of certain 842
Providence River and Harbor, R. I., improvement authorized 845
Provo River Project, Utah, appropriation for construction 595
Public Building Act, provisions relating to George Washington Memorial Building, repealed 53
Public Buildings:
Appropriation for—
Operating force, furniture, supplies, etc 153
Repair, preservation, and equipment 152
Public Debt Service. *See* Treasury Department.
Public Health, International Office of, appropriation for contribution 267
Public Health Service. *See also* Treasury Department.
Coast Guard personnel, medical care by 548
Ellis Island hospitals, use of, by 149
Health and sanitation activities in flood-stricken areas, allocation of relief funds authorized 21
Mines, Bureau of, details to, authorized 603
National Cancer Institute. *See* National Cancer Institute Act.
Ohio River, examination for elimination of pollution deposits, cooperation by 855
Public-Health Work. *See* Social Security Act.
Public Lands:
California, reservation of certain, for benefit of Capitan Grande Band of Mission Indians 72
Clackamas County, Oreg., conveyance to, for park purposes 840

Public Lands—Continued. Page
Helium-gas-bearing, reservation to United States 886
Homestead and desert-land entrymen, time extended for offering final proof 303
Mining claims, suspension of annual assessment work on, held in United States 306
Montana, conveyance to, for public park, etc., purposes 746
Validation of certain mineral patents heretofore issued 485
New Mexico, conveyance to 747
Oil and gas permits, issue to certain applicants authorized 808
Patents, issue of, to States in adjudicating exchanges 748
San Diego, Calif., exchange of certain, with, authorized 25
Utah, exchange of certain, with, authorized 637
Washington, conveyance to State for highway purposes 665
Public Works Administration Extension Act of 1937:
Federal Emergency Administration of Public Works continued until July 1, 1939 357
Administrative expenses, amount available for 358
Grants, amount authorized for, increased 357
Non-Federal projects, new loans forbidden 358
Projects, classes designated; amounts 358
Conditions; increases permitted 358
Reconstruction Finance Corporation, investments in securities purchased from, increased 357
Public Works, Federal Emergency Administration of, administrative expenses 351
Pueblo Indians, N. Mex.:
Appropriation for—
Flood control 580
Land and water rights—
Compensation for loss of 572
Purchase of 571
Non-Indian claimants, lands 572
Water supply, development of 576
Puerto Rico:
Appropriation for—
Agricultural experiment stations 398
Vocational education 610
Vocational rehabilitation, persons disabled in industry 611
Agricultural extension work, cooperative, extended to 881
Appropriations authorized 881

Puerto Rico—Continued. Page
Bankhead-Jones Farm Tenant Act, extension of provisions to 532
Catano Range Rear Lighthouse Reservation, portion transferred to Government 672
Guanica Lighthouse Reservation, exchange of, for adjacent land 694
Mayaguez, increase in indebtedness allowed 844
River and harbor improvements authorized 850
Preliminary examinations authorized 855
San Juan Military Reservation, transfer of part, to; acceptance of other property 207
Steamship tickets, tax exemption on, between United States and 870
Sugar Act of 1937, basis of determination of quota under 905
Puget Island, bridge authorized across Columbia River to Cathlamet 251
Puget Sound, Wash.:
Appropriation for equipment, Navy Yard 226
Time extended for bridging, at The Narrows 474
Pulaski, General Casimir, President authorized to invite observance of anniversary of death of 62
Punta Rasa, Fla., examination of waterway to Intracoastal Waterway authorized 853
Purnell Act, appropriation for allotments under 398
Put in Bay, Ohio:
Examination authorized 854
Improvement authorized 849
Pymatuning Lake, consent of Congress given to compact relating to, Ohio and Pennsylvania 865
Pyramid Lake Irrigation Project, Nev., appropriation for 577

Q

Quapaw Indians, Okla., State gross production tax on lead and zinc produced on lands of, authorized 68
Exemption from other State taxes 68
Quarantine Service, appropriation for 149
Quartermaster Corps. *See* War Department.
Quartermaster Depot Military Reservation, Jeffersonville, Ind., exchange of land at 620
Queens Creek, Va., examination authorized 852
Quiver River, Miss., examination authorized 878

R Page
Racine Harbor, Wis., improvement authorized 848
Radio. *See* Communications Act of 1934, Amendments.
Radio Conference, Inter-American, appropriation authorized for participation expenses 749
Appropriation for 770
Radio Consulting Committee, International, balances continued available for 228
Railroad Adjustment Board, National, appropriation for 216, 340
Railroad Retirement Account. *See* Railroad Retirement Act of 1937.
Railroad Retirement Act of 1935:
Appropriation for payment of annuities, etc., under 341
Amendments. *See* Railroad Retirement Act of 1937.
Railroad Retirement Act of 1937. *See also* Carriers Taxing Act of 1937.
Administrative expenses, appropriation authorized 317
Annuities, eligibility for 309
Computation 310
Exemption from taxation, garnishment, etc 316
Joint and survivor 311
Claims of individuals who became eligible under Retirement Act of 1935, adjudication of, by Board 318
Continuance in service after age 65 318
Prior services included 318
Unpaid annuity at death 318
Claims of individuals relinquishing employment but not eligible under Retirement Act of 1935, adjudication under Act of 1937 318
Court jurisdiction 315
Death benefits 312
Definitions 307
Erroneous payments 314
Free transportation 318
Penalties 316
Pensions to individuals on pension or gratuity rolls of employers 312
Railroad Retirement Account, establishment in Treasury 316
Appropriations authorized for 316
Railroad Retirement Board established 314
Duties 314
Personnel 314, 319
Retirement Act of 1935 continued in force as to annuities granted under 319
Returns of compensation, conclusiveness of; failure to make 313

Railroad Retirement Act of 1937—Contd. Page
Separability of provisions 316
Social Security Act, term "employment" modified 317
Railroad Retirement Board. *See also* Railroad Retirement Act of 1937.
Appropriation for 136, 340, 470
Railroads. *See* Carriers.
Railway Mail Service:
Appropriation for 159
Stenographer grade provided, offices of chief clerks and superintendents 647
Rankin, Pa., time extended for bridging Monongahela River at 245
Raritan River, N. J., improvement authorized 845
Raw-Materials Investigations, appropriation for 286
Real Estate Brokers, etc., regulation of. *See* District of Columbia.
Receivership Proceedings, prohibition on certain agreements fixing compensation; appointment of certain persons as receivers, etc 810
Reciprocal Trade Agreements, extension of authority of President to enter into 24
Reclamation, Bureau of. *See also* Interior, Department of.
Irrigation, restriction on use of funds where district is in arrears 592
Reclamation Laws, construction of small reservoirs authorized under 841
Reclamation Projects:
Commission created to investigate financial, etc., conditions; report and recommendations to Congress 737
Appropriation authorized for expenses 738
Appropriation for 764
Extension of time for payment authorized 738
Reconstruction Finance Corporation:
Administrative expenses, amount available for 350
Continuation of, until June 30, 1939 5
Authority to incur obligations 5
Disaster Loan Corporation, subscription of capital stock by 19
Federal Emergency Administration of Public Works, investment in securities of, increased 357
Reconstruction Finance Corporation Mortgage Company, authority to incur obligations after June 30, 1937 5
Red-Cedar Shingles:
Statistics concerning, collection and publication by Director of the Census 204
Appropriation authorized 205
Red-Cedar Shingles—Continued. Page
Statistics concerning—Continued.
Information required to be furnished; penalty provision 205
Monthly statements to be furnished; distribution 204
Use of information; penalty provision 205
Reformatories, appropriation for 281
Reformatory Camp, Federal, Petersburg, Va., appropriation for 281
Regional Agricultural Credit Corporations, powers, etc., conferred 716
Consolidation and merger of 717
Rehabilitation Loans. *See* Bankhead-Jones Farm Tenant Act.
Reindeer. *See* Alaska.
Relief. *See also* Emergency Relief Appropriation Act of 1937.
Relief and work relief, appropriation for 10
Reorganization Proceedings, prohibition on certain agreements fixing compensation; appointment of certain persons as receivers, etc 810
Reparation Orders. *See* Perishable Agricultural Commodities Act, 1930, Amendments.
Resale Price Maintenance, contracts for, legalized where lawful in intrastate transactions 693
Research and Statistics, Division of. *See* Treasury Department.
Reserve Officers, pension laws for peacetime service extended to 305
Reserve Officers' Training Corps:
Appropriation for 465
Restriction on further enrollments, Air, Dental, and Veterinary Corps 466
Reservoirs, construction of, authorized under reclamation laws 841
Resettlement Administration, Emergency Relief Appropriation Act of 1937, amount available for loans, etc., by 353
Resettlement Projects. *See* Bankhead-Jones Farm Tenant Act.
Retirement. *See* Civil Service Retirement Act of 1930, Amendment; Panama Canal; Panama Railroad Company; Railroad Retirement Act of 1937; Supreme Court of the United States.
Revenue Act of 1926, Amendment, tax exemption on steamship tickets between United States and Puerto Rico 870
Revenue Act of 1932, Amendments:
Excise and miscellaneous taxes, extension of certain 358
Gasoline tax, extension of 358
Postage rates, extension of 358

Revenue Act of 1936, Amendments: Page
Disallowed deductions 827
Foreign personal holding companies, tax on 818
Further extensions of time for filing returns under title III authorized 29
Mutual investment companies, tax on 831
Nonresident alien individuals, tax on 830
Personal holding companies, tax on 813
Trusts, tax on 829
Revenue Act of 1937:
Title I—Personal holding companies 813
Title II—Foreign personal holding companies 818
Title III—Disallowed deductions 827
Title IV—Trusts 829
Title V—Nonresident alien individuals 830
Title VI—Miscellaneous 830
Revised Statutes:
Amended—
Section 3318 737
Section 3646 482
Section 4450 544
Section 4471 477
Section 4551 49
Section 4676 666
Repealed—
Section 3702 482
Section 3703 482
Section 3704 482
Section 3705 482
Section 190, exemption from limitation on certain counsel 805
Rhode Island:
Minimum wage, etc., compact, Mass., N. H., and, consent of Congress given to 633
River and harbor improvements authorized 845
Preliminary examinations authorized 851
Richardson, Samuel, appropriation authorized for payment to Great Britain for account of estate of 134
Appropriation for 768
Rifle Practice, National Board for Promotion of, appropriation for 467
Rincon Irrigation Project, Calif., appropriation for 577
Rio Grande, preliminary surveys for run-off retardation directed 864
Rio Grande Canalization Project, appropriation for construction, etc 269
Rio Grande Project, N. Mex.-Tex., appropriation for operation, etc 593
Rio Grande Rectification Project, appropriation for construction, etc 269
Rivers and Harbors:
Appropriation for preservation of existing works 516

Rivers and Harbors—Continued. Page
Bayou Savage, La., portion declared nonnavigable in New Orleans 649
Benton Harbor Canal, Benton Harbor, Mich., declared nonnavigable 243
Improvement project abandoned 243
Burr Creek, Conn., portion declared nonnavigable in Bridgeport 632
Calumet River, Ill., portion declared nonnavigable in Chicago 258
Debris, amount available for removal of 877
Flood Control Act of 1936, Amendments 876
Illinois Waterway, Ill., modification in existing project for improvement 258
Improvements authorized 844
Preliminary examinations authorized 851, 878
Laws relating to improvement, compilation directed 856
Park River, Conn., declared nonnavigable, Hartford County 201
Soil erosion prevention, surveys authorized for 877
Turtle Bay and Turtle Bayou, Tex., declared nonnavigable waterways; existing project abandoned 28
Riverton Project, Wyo., appropriation for operation, construction, etc 594, 596
Road Congress, Eighth International, 1938, appropriation authorized for participation expenses 750
Road Congresses, Permanent Association of International, appropriation for contribution 268
Robinson, Joseph T., payment to widow of 755
Robinson, Samuel, payment to nieces of 757
Rochester (Charlotte) Harbor, N. Y., examination authorized 855
Rock Creek, Fla., examination authorized 878
Rock Hall Harbor, Md., improvement authorized 846
Rock Island Bridge, Ill., appropriation for operation, etc 458
Rockport, Ind., time extended for bridging Ohio River, to Owensboro, Ky 243
Rocky Mountain National Park, Colo., appropriation for administration, etc 605
Rocky River Harbor, Ohio, improvement authorized 849
Rogers Creek, Va., examination authorized 852
Rogue River National Forest, Oreg., lands added to 534
Rollinson Channel, N. C., examination of channel leading to Hatteras, N. C., authorized 853

Rondout Harbor, N. Y., examination authorized ... Page 851
Root River, Minn., examination authorized ... 879
Rosebud Indians, S. Dak., appropriation for industrial assistance ... 575
Ross, Janet Hardcastle, appropriation authorized for payment to Canada for injuries to ... 130
Appropriation for ... 768
Rulo, Nebr., time extended for bridging Missouri River at ... 167
Rumania, appropriation for minister to ... 263
Rural Delivery Service, appropriation for ... 160
Rural Electrification Act, 1936, appropriation for loans under ... 342
Rural Electrification Administration:
Appropriation for—
Loans ... 342
Salaries and expenses ... 341
Russian River, Calif., examination authorized ... 880

S

Sabine-Neches Waterway, Tex.:
Examination authorized ... 854
Improvement authorized ... 848
Improvement project, portion abandoned, at Beaumont ... 856
Sacramento, Calif., appropriation for improvements, Air Corps Depot ... 452
Sacramento Indian Reservation, Calif., appropriation for flood control ... 580
Sacramento River, Calif.:
Appropriation for flood control ... 518
Improvement authorized ... 849
Safety of Life at Sea, International Convention for, amendments to Communications Act of 1934 making effective provisions of ... 189
Saginaw Bay, Mich., examination authorized ... 855
Saginaw River, Mich., improvement authorized ... 849
St. Augustine, Fla.:
Anastasia Lighthouse Reservation, conveyance of portion to ... 65
Coast Guard station establishment at, authorized ... 546
St. Catherines Sound, Md., examination authorized ... 852
St. Charles, Mo., time extended for bridging Missouri River at ... 201
St. Croix Chippewa Indians, Wis., care of indigent, etc., funds continued available ... 591
St. Elizabeths Hospital, appropriation for ... 614
St. Inigoes Bay, Md., memorial to officers, etc., of United States ship Tulip, appropriation authorized for ... 259
Appropriation for ... 767
St. Jeromes Creek, Md., improvement authorized ... Page 846
St. Johns River, Fla., improvement of waterway between Beaufort, S. C., and ... 847
St. Johns River Waterway, Fla., examination authorized ... 853
St. Jones River, Del., improvement authorized ... 845
St. Josephs Bay, Fla., improvement authorized ... 847
St. Lawrence River, time extended for bridging, at Ogdensburg, N. Y ... 631
St. Louis Mission Boarding School, Okla., appropriation for education, Osage Indian children ... 581
St. Louis, Mo., time extended for bridging Mississippi River at ... 244, 251
St. Maries, Idaho, appropriation for care of graves of firefighters ... 412
St. Marks River, Fla., improvement authorized ... 847
St. Patricks Creek, Md., examination authorized ... 852
St. Petersburg Harbor, Fla., improvement authorized ... 847
Saint Thomas, Virgin Islands:
Harbor improvement authorized ... 850
Naval Station, appropriation for improvements ... 110
Sales Act, Uniform, D. C. *See* District of Columbia.
Salinas River, Calif., examination authorized ... 880
Saline River, Ark., examination authorized ... 878
Salmon River, Alaska, appropriation for flood control ... 519
Salt River Indian Reservation, Ariz., appropriation for flood control ... 580
Salt River Irrigation Project, Ariz., appropriation for ... 577, 595
Salvador, appropriation for minister to ... 263
San Antonio Bay, Tex., examination of channel connecting with Gulf of Mexico, authorized ... 854
San Carlos Indian Reservation, Ariz., appropriation for irrigation ... 578
San Carlos Irrigation Project, Ariz., appropriation for ... 577
Sanchez, Mercedes Martinez Viuda de, appropriation authorized for payment to Dominican Republic for account of ... 132
Appropriation for ... 769
San Diego, Calif.:
Appropriation for—
Naval Air Station, construction work ... 111
Naval Station, construction work ... 110
Naval Training Station ... 98
Harbor improvement authorized ... 849

San Diego, Calif.—Continued. Page
Public lands, exchange of certain, with, authorized 25
Sandstone, Minn., appropriation for construction, Federal jail 282
Sandusky River, Ohio, examination authorized 879
Sandy Hook Bay, N. J., improvement authorized 845
Sandy River, Oreg., examination authorized 880
San Francisco Airport, Calif., establishment of Coast Guard air station authorized 260
San Francisco Bay, Calif., establishment of naval air station authorized 238
Construction, etc.; appropriation authorized 239
San Francisco Bay Exposition. *See* Golden Gate International Exposition.
San Francisco, Calif.:
Appropriation for—
Dispatch agency 266
Hydrographic office expenses 118
Mint 151
Acquisition of land for cemeterial purposes, War Department; appropriation authorized 256
Federal Exhibits Building, Golden Gate International Exposition, transfer to, authorized 492
Harbor improvement authorized 849
San Gabriel River, Calif., flood control project extended 167
Sanitarium Co., Portland, Oreg., contracts with, authorized for care of Alaskan insane 612
Sanitary Bureau, Pan American, appropriation for contribution 267
San Jacinto River, Calif., examination authorized 879
San Jacinto River, Tex., examination authorized 878
San Joaquin River, Calif., improvement authorized 849
San Juan Harbor, Puerto Rico, improvement authorized 850
San Juan, Puerto Rico:
Appropriation for hydrographic office expenses 118
Harbor improvement authorized 850
San Juan Military Reservation, transfer of part to; acceptance of other property 207
San Lorenzo Creek, Calif., examination authorized 880
San Lorenzo River, Calif., examination authorized 855
Sans Bois Creek, Okla., examination authorized 878
Santa Ana River, Calif., examination authorized 879
Santa Clara River, Calif., examination authorized 880
Santa Fe, N. Mex., appropriation for education of Indians 583
Santa Maria River, Calif., examination authorized 166, 880
Santa Rosa Band of Mission Indians, Calif., acquisition of land for use of, appropriation authorized 69
Appropriation for 763
San Xavier Indian Reservation, Ariz.:
Appropriation for—
Flood control 580
Irrigation project, operation, etc 222
San Xavier Irrigation Project, Ariz., appropriation for 577
Sarasota Bay, Fla., improvement authorized 847
Saugus River, Mass., examination authorized 851
Sault Sainte Marie, Mich., appropriation for hydrographic office expenses 118
Savannah, Ga., appropriation for hydrographic office expenses 118
Savannah River:
Improvement authorized 847
Inland Waterways Corporation, services and operations extended to 304
Time extended for bridging, at Lincolnton, Ga 28
Savanna Ordnance Depot, Ill., improvement of ammunition storage facilities, appropriation authorized for 166
Scajaquada Creek, N. Y., declared nonnavigable in Buffalo 165
Schedule of Sailings, restriction on printing of 338
Schenectady, N. Y., examination of waterway from, to Albany, N. Y., authorized 851
Schofield Barracks, Hawaii:
Construction at, authorized 861
Transfer of portion of site for post office construction 774
School Ships, graduates rated as able seamen upon graduation 199
Scientific Radio Union, International, appropriation for contribution 268
Scientific Unions, International Council of, appropriation for contribution 268
Scioto River, Ohio, examination authorized 879
Scituate Harbor, Mass.:
Examination authorized 851
Improvement authorized 845
Scotland County, N. C., transfer to middle judicial district 671
Scott, Maylon E., payment of claim 18
Screwworm Control, appropriation for 418
Seacoast Defenses, appropriation for 460

Page

Sea Food Inspectors Act, appropriation for enforcement 428
Sea Island Cotton, appropriation for experimentation in 408
Seamen. *See also* Vessels.
Appropriation for relief, etc., of, abroad 266
Continuous discharge book or certificate of identification, issue of 49
Administrative provisions 51
Bureau of Marine Inspection and Navigation, records to be kept by 50
Citizenship requirements 49
Effective dates 51
Employment without discharge book or certificate forbidden; foreign ports 49
Entries 49
Exemptions 51
Loss, issue of duplicate in case of 50
Temporary certificates, issuance of 51
Unlawful acts, penalties 50
Marine casualty investigations. *See* Vessels.
School ships, graduates rated as able seamen upon graduation 199
Seattle, Wash.:
Appropriation for—
Assay office 151
Dispatch agency 266
Hydrographic office expenses 118
Second Assistant Postmaster General, Office of. *See* Post Office Department.
Second Deficiency Appropriation Act, fiscal year 1937 213
Secretary of Agriculture. *See also* Agriculture, Department of.
Bankhead-Jones Farm Tenant Act, powers under. *See* separate title.
Insect pest control, supervision of expenditures for; report 121, 514
Member of—
Greater Texas and Pan American Exposition Commission 58
United States Golden Gate Exposition Commission 489
United States New York World's Fair Commission 493
Soil Conservation and Domestic Allotment Act, Amendments, powers of, extended where State plan inoperative 329
Secretary of Commerce. *See also* Commerce, Department of.
Marine casualty investigations, suspension or revocation of license; appeal to 544
Member of—
Greater Texas and Pan American Exposition Commission 58

Page

Secretary of Commerce—Continued.
Member of—Continued.
National Munitions Control Board 124
United States Golden Gate Exposition Commission 489
United States New York World's Fair Commission 493
Northern Pacific Halibut Act of 1937, rules and regulations by 328
Pan American Exposition, participation, expenditures under supervision of 832
Secretary of Labor. *See also* Labor, Department of.
Member of—
United States Golden Gate Exposition Commission 489
United States New York World's Fair Commission 493
Technical Tripartite Textile Conference, 1937, supervision of expenditure of funds for expenses of 29
Secretary of State. *See also* State, Department of.
Conference on Extraterritorial Rights in Egypt, participation funds under supervision of 228
Helium, exports of, application for license to 887
Inter-American Radio Conference, participation funds under supervision of 750
International Conference of American States, Eighth, Lima, Peru, participation funds under supervision of 272
International Congress of Architects, participation funds under supervision of 441
International Dairy Congress, Eleventh, Berlin, Germany, participation funds under supervision of 249
International Road Congress, Eighth, 1938, participation funds under supervision of 750
Joint Committee of American and Philippine Experts, participation funds under supervision of 228
Marihuana Tax Act of 1937, export regulations, promulgation by 553
Member of—
Board of Trustees of National Gallery of Art 52
Greater Texas and Pan American Exposition Commission 58
National Munitions Control Board 124
Pan American Sanitary Conference, Tenth, participation funds under supervision of 198
Telecommunication Conference, Cairo, Egypt, participation funds under supervision of 272

Secretary of State—Continued. Page
World's Poultry Congress and Exposition, Seventh, participation funds under supervision of 550
Secretary of the Interior. *See also* Interior, Department of.
Bonneville project, appointment of administrator by 732
Helium, approval of exports by 887
Member of—
Capital Auditorium Commission 20
United States Golden Gate Exposition Commission 489
Reclamation projects, investigation of financial, etc., projects, appointment of commission by 737
Secretary of the Navy. *See also* Navy; Navy Department.
Member of National Munitions Control Board 124
Secretary of the Senate. *See* Legislative Branch of the Government, Senate.
Secretary of the Treasury. *See also* Treasury Department.
Coast Guard Academy, appointment of civilian instructors by 67
Government Losses in Shipment Act, regulations by 479
Member of—
Board of Trustees of National Gallery of Art 52
National Munitions Control Board 124
Northern Pacific Halibut Act of 1937, rules and regulations by 328
Secretary of War. *See also* Army; War Department.
Member of National Munitions Control Board 124
Samples of equipment, etc., to prospective manufacturers, authorized 535
Secret Service Division. *See* Treasury Department.
Securities and Exchange Commission, appropriation for 342
Seed Investigations, appropriation for 409
Seed Testing Congress, International, appropriation for share of expenses 409
Seeing-Eye Dogs, free transportation permitted, accompanying blind persons 475
Seldovia Harbor, Alaska, examination authorized 855
Seminole Indians, Fla., appropriation for industrial assistance 575
Senate. *See also* Congress; Legislative Branch of the Government.
Appointment of Members to—
Board of Visitors, Coast Guard Academy 67
General Anthony Wayne Memorial Commission 695
Golden Gate Exposition Commission 489

Senate—Continued. Page
Appointment of Members to—Contd.
Government Organization, Joint Committee on 7
New York World's Fair Commission 493
Tax Evasion and Avoidance, Joint Committee on 253
World War memorials, Europe, dedication of, official delegation 324
Appointments with consent of—
Civilian Conservation Corps, Director 319
Coast Guard Academy, professors as heads of departments 66
Counselor of the Department of State 169
Emergency Relief Appropriation Act of 1937, supervisory, etc., officers 355
Greater Texas and Pan American Exposition, Commissioner General 58
Housing Authority, United States, Administrator 889
Officers under, receiving over $7,500 889
National Bituminous Coal Commission 72, 73
Consumers' Counsel 74
Railroad Retirement Board, members 314
Committee to Audit and Control the Contingent Expenses of the Senate, correction in amount of salary of assistant clerk 325
Restaurants, increase in prices authorized 173
Senate Manual, appropriation for preparation of 171
Senate Office Building, appropriation for maintenance, etc 172, 179
Senior Circuit Judges, representation of Court of Appeals for District of Columbia at annual conference 473
Sequoia National Park, Calif., appropriation for administration, etc 605
Sequoyah Orphan Training School, Okla., appropriation for education of Indians 583
Seventh World's Poultry Congress and Exposition, sum authorized for Federal participation 550
Appropriation for 771
Shanghai Electric Construction Company, Ltd., appropriation authorized for payment to Great Britain for account of 129
Appropriation for 768
Shawnee, Okla., court accomodations at 625
Shenandoah Memorial, erection of; location modified 557
Appropriation for construction 775

Page

Shenandoah National Park, Va.:
Appropriation for administration, etc.. 605
Police jurisdiction assumed by United States; notification to Virginia..... 700
Commissioner, appointment, jurisdiction, etc..... 702
Powers reserved to State..... 700
Protection of birds and animals; unlawful acts, penalty provisions.. 701
Sherman Institute, Riverside, Calif., appropriation for education of Indians..... 582
Shingles. *See* Red-Cedar Shingles.
Shipp, Arthur M., payment of claim..... 18
Shipping Board. *See* United States Shipping Board.
Shipyard River, S. C., improvement authorized..... 847
Shivwitz Indian Reservation, Utah, area enlarged..... 239
Shohola, Pa., time extended for bridging Delaware River at..... 746
Shoshone Indian Reservation, Wyo., acquisition of certain lands of, for Wind River irrigation project..... 700
Shoshone Indians, Wyo., appropriation for industrial assistance..... 575
Shoshone Project, Wyo., appropriation for construction, etc..... 594, 596
Shreveport, La., examination of channel to Jefferson, Tex., authorized..... 854
Shwamberg, Mrs. M. N., payment to.... 769
Siam, appropriation for minister to..... 263
Signal Corps. *See* War Department.
Signal Safety Systems:
Appropriation for inspecting, etc..... 215
Installation by railroads..... 835
Silver Purchase Act of 1934, appropriation for administrative expenses..... 137, 138, 139, 144, 151
Sinepuxent Bay, bridge authorized across, at Ocean City, Md..... 801
Sinuk River, Alaska, examination authorized..... 855
Sioux City, Iowa, time extended for bridging Missouri River at..... 48
Sioux Indians, appropriation for fulfilling treaty obligations..... 591
Sioux Indians, Pine Ridge Reservation, S. Dak., appropriation authorized for payment to..... 441
Appropriation for..... 763
Sioux Reservations, appropriation for payment to Indians of..... 221
Sioux Sanatorium, S. Dak., construction, funds continued available for..... 585
Sitka Cold Storage Co., conveyance of certain land to, by Territory of Alaska..... 652

Page

Sitka Harbor, Alaska, improvement authorized..... 849
Six Mile Cypress Slough, Fla., examination authorized..... 878
Six Nations, N. Y., appropriation for fulfilling treaty obligations with Indians.. 590
Sixteenth Census, appropriation for preparatory expenses..... 288
Skagit River, Wash., examination authorized..... 880
Skagway River, Alaska, examination authorized..... 880
Skipanon Channel, Oreg., improvement authorized..... 849
Slum-Clearance Projects. *See* United States Housing Act of 1937.
Smallers Drain, Va., examination authorized..... 852
Smelter Fumes Controversy, Trail, B. C.:
Balances continued available for..... 229
Waiver of provisions of Criminal Code in employment of counsel..... 198
Smith, James Reuel, acceptance of certain bequests authorized..... 647
Smith River, Oreg., examination authorized..... 880
Smithsonian Institution:
Appropriation for—
Administrative expenses, etc..... 342
National Gallery of Art..... 343
National Museum..... 342
National Gallery of Art, administration by..... 52
National gallery of art (existing bureau), name changed to National Collection of Fine Arts..... 53
Smugglers Cove (Short Sands Beach), Oreg., examination authorized..... 855
Snake River:
Examination authorized, Idaho, Wash., and Oreg..... 26
Time extended for bridging, Clarkston, Wash., to Lewiston, Idaho..... 477
Snoqualmie National Forest, Wash., lands added to..... 739
Social Security Act. *See also* Social Security Board.
Appropriation for—
Census records, searching and supplying information..... 288
Diseases and sanitation investigations..... 150
Grants to States—
Child-welfare services..... 301
Crippled children, services for..... 301
Maternal and child health services.. 301
Public-health work..... 150
Old-age reserve account..... 138
"Employment", term modified..... 317

Social Security Board. *See also* Social Security Act. Page
Appropriation for—
Grants to States—
Blind, aid to 345
Dependent children, aid to 344
Old-age assistance 344
Unemployment compensation administration 344
Old-age assistance, 1937 238
Printing and binding 344
Salaries and expenses 343
Deficiency appropriation for 759
Experts and attorneys, appointment of 344
Interchangeability of certain funds 345
Minor purchases without contracts 344
Salary restriction; Board members excepted 344
Special accounting, etc., services 344
States, payments to, which enacted approved unemployment-compensation laws in 1937 754
Soil Conservation and Domestic Allotment Act:
Appropriation for effecting provisions of 430
Amendments—
Annual reports to Congress 329
Apportionments for carrying out State plans continued until 1942 329
Powers of Secretary of Agriculture extended where State plan inoperative 329
Soil Conservation Investigations, appropriation for 430
Soil Conservation Service. *See* Agriculture, Department of.
Soil Investigations, appropriation for 410, 415
Soldiers' Home, United States, appropriation for maintenance 519
Solicitor General. *See* Justice, Department of.
Sonoma Creek, Calif., examination authorized 855
South Canadian River, Okla., examination authorized 878
South Carolina:
Hunting Island Lighthouse Reservation, conveyance to Beaufort County 651
River and harbor improvements authorized 847
South Charleston, W. Va., appropriation for school at ordnance station 104
South Dakota:
Appropriation for—
Belle Fourche project, construction 595
Indians, support, etc., of 573, 575, 582, 583, 585, 589, 590
Wind Cave National Park, administration, etc 606
South Dakota—Continued. Page
Sioux Indians, Pine Ridge Reservation, appropriation authorized for payment to 441
Appropriation for 763
Southeastern University, D. C., incorporation approved 697
Southern Great Plains Field Station, Okla., deficiency appropriation for 761
Southern Ute Irrigation Project, Colo., appropriation for 577
South Fabius River, Mo., examination authorized 879
Southold Park District, N. Y., conveyance of Horton Point Lighthouse Reservation to 667
South Sioux City, Nebr., time extended for bridging Missouri River at 48
Southwestern Reformatory, appropriation for 281
Spain:
Appropriation for ambassador to 263
Arms, ammunition, etc., prohibition on exportation to 3
Spanish-American War, honorable discharges to veterans discharged for age, etc., misrepresentation 203
Special Mexican Claims Commission:
Appropriation for expenses 771
Awards, payment of 785
Basic amount of payment by Mexico 785
Duration extended 785
General claims reclassified as special claims, action to be taken 785
Jurisdiction redefined 785
Spirits. *See* Bottling in Bond Act, Amendments.
Springerville, Ariz., forestry and post office building, cost limit increased 14
Springfield Armory, Mass., release of right-of-way at, authorized 95
Sprinkler Systems, time extended for installation of, on certain passenger vessels 477
Stabilization Fund, extension of powers of President relating to 4
Stamford Harbor, Conn., improvement authorized 845
Standard Container, Hamper, and Produce Agency Acts, appropriation for administration 425
Standards, Bureau of. *See also* Commerce, Department of.
Cooperative work with executive departments, etc 290
Scientific investigations by, for—
Engraving and Printing, Bureau of 147
Post Office Department 163

Page

Star-Route Contracts, Postmaster General authorized to withhold awarding of, for 60 days after March 1, 1937 24

State, Department of. *See also* Foreign Service; International Obligations.

Appropriation for—

Contingent expenses 262

Foreign trade, promotion of 263

Investigations regarding official matters 274

Passport agencies 262

Printing and binding 262

Salaries 261

Territorial papers, collecting and editing 262

Deficiency appropriation for—

American Embassy drafts, payment of interest on certain 769

Audited claims 236, 779, 782

Contingent expenses 768

Foreign governments, payments for injuries to certain citizens, etc 768

Judgments 233

Passport agencies 228

Printing and binding 227

Special Mexican Claims Commission 771

Amoy, China, sale, etc., of lot authorized 246

Army, Navy, etc., officers, as inspectors of buildings abroad 273

Boy Scouts of America, issuance of passports without fees to, attending World Jamboree 69

Commissary privileges, foreign stations, extended to Foreign Service officers 63

Counselor of, office established 169

Mexican claims. *See* Special Mexican Claims Commission.

National Munitions Control Board. *See* Neutrality Act of 1935, Amendments.

Neutrality. *See* Neutrality Act of 1935, Amendments.

Payment forbidden persons after nominations rejected by Senate 302

Red-cedar shingles, reports concerning, to be furnished to 205

Rental restriction 273

Territorial Papers of the United States—

Collecting, editing, etc., amount authorized for, increased 323

Annual appropriation, limitation 324

Limitation on number to be printed for congressional allocation 262

Trading with the Enemy Act, Amendment, reciprocal release of sequestrated property 748

State Legislation, appropriation for preparation of index to 182

Page

State Liquor-Dispensing Systems, exemption from keeping certain records, etc 737

State Marine Schools, appropriation for reimbursing certain States for maintenance of 99

Statement of Appropriations, appropriation for preparation of 179

Statements of Account, etc., postage rate on, produced by mechanical process 119

Statistical Bureau, International, The Hague, appropriation for contribution 267

Statistical Studies, continuance of, by Department of Labor, upon payment of cost 259

Steamship Tickets, tax exemption on, between United States and Puerto Rico 870

Steinhatchee River, Fla., improvement authorized 847

Stinson Aircraft Corporation, approval of payment for airplanes directed 325

Stites, Ill., time extended for bridging Mississippi River at 251

Stony Point Light Station Reservation, N. Y., portion transferred to Palisades Interstate Park; property transferred in exchange 549

Stubbs, Henry E., payment to widow of 214

Submarginal Lands, Retirement of. *See* Bankhead-Jones Farm Tenant Act.

Subsistence Homesteads Corporations, credit allowed in accounts of disbursing officers for expenses incident to creation of 620

Sugar Act of 1937:

Conditional-payment provisions 909

Definitions 903

Excise taxes with respect to sugar 912

Collection of taxes 914

Effective date 914

Exportation, livestock feed, distillation 914

Manufacture, tax on 913

General provisions 915

Administrative regulations, penalty for violation 915

Agricultural Adjustment Act, provisions repealed 916

Appropriation authorized 915

Appropriation for 762

Jurisdiction over litigation vested in district courts 915

Penalty provisions 915, 916

Personal services 915

Philippine payment 915

Suspension of operation in national emergency 916

Termination of provisions 916

Quota provisions 904

Page

Sugar-Plant Investigations, appropriation for 410
Suisun Channel, Calif., improvement authorized 849
Sulphur River, Ark., examination authorized 878
Sunflower River, Miss., examination authorized 878
Sun River Project, Mont., appropriation for construction 595
Superintendent of Documents, Government Printing Office:
Appropriation for office of 185
Depository libraries, approval of requests for documents, etc., by 186
Supplies and Accounts, Bureau of. *See* Navy Department.
Supreme Court of the United States. *See also* Justice, Department of.
Chief Justice, member of board of Trustees of National Gallery of Art 52
Direct appeal to, where United States a party and decision against constitutionality of Act of Congress 752
Retirement privilege granted to Justices 24
Appointment of successors 24
Recall to service 24
Surplus Commodities Corporation, Federal, continuance of, until June 30, 1939 323
Susquehanna River, Md., improvement authorized 846
Swampscott, Mass., examination of harbor of refuge at, authorized 851
Sweden, appropriation for minister to 263
Sweet Potato Boll Weevil Control, appropriation for 416
Switzerland, appropriation for minister to 263

T

Tacoma, Wash.:
Appropriation for acquisition of land near 452
Harbor improvement authorized 849
Tallahassee, Fla., appropriation for construction, Federal jail 282
Tampa, Fla., exposition at. *See* Pan American Exposition.
Tanners Creek, Ind., examination authorized 854
Tariff Act of 1930:
Amendment—
Vessels arriving to take on stores, formal entry not required 638
Foreign-trade agreements, extension of authority of President to enter into 24

Page

Tariff Commission:
Appropriation for 345
Commissioners, salary rates 352
Tar River, N. C., improvement authorized 846
Tax Appeals, Board of, appropriation for 331
Taxes. *See also* Revenue Acts.
Carriers and employees, extension of, until June 30, 1938 23
Carriers, excise tax on, and income tax on employees. *See* Carriers Taxing Act of 1937.
District of Columbia. *See* District of Columbia, Revenue Act of 1937.
Marihuana Tax Act of 1937. *See* separate title.
State, jurisdiction of district courts of suits relating to collection of 738
Sugar, excise, with respect to 912
Termination of 916
Tax Evasion and Avoidance, Joint Committee on:
Appropriation for 469
Composition, duties, powers, etc 253
Delegation of authority 254
Duration 254
Personal services 254
Treasury Department, furnishing of data by 253
Taylor, J. Will, appropriation for payment of contested-election expenses 756
Tea Importation Act, appropriation for enforcement 428
Technical Tripartite Textile Conference, appropriation for aid in defraying expenses of 29
Tedious Creek and Duck Point Cove, Md., examination authorized 852
Telecommunication Conference, Cairo, Egypt, appropriation for participation expenses 272, 770
Telecommunication Union, International, Radio Section, appropriation for contribution 267
Tenakee Inlet, Alaska, examination of waterway to Port Frederick authorized 855
Tenant Act. *See* Bankhead-Jones Farm Tenant Act.
Tennessee:
Appropriation for administration, Great Smoky Mountains National Park, N. C., and 604
Columbia, court accommodations at, requirement modified 546
Fort Donelson National Military Park, lands added 881
Administration, etc 883
Rivers and harbors, preliminary examinations authorized 878, 879

Page

Tennessee River, Tenn., appropriation for examinations of dam sites 217

Tennessee Valley Authority:
- Appropriation for 217
- Reimbursement for fertilizer, etc., furnished Department of Agriculture 431

Tenth Pan American Sanitary Conference, appropriation authorized for participation expenses 198

Territorial Papers of the United States:
- Appropriation for collecting and editing 262
- Amount authorized for collecting, editing, etc., increased 323
- Limitation on annual appropriation 324
- Limitation on number to be printed for congressional allocation 262

Territories and Island Possessions, Division of. *See* Interior, Department of.

Texas:
- Appropriation for Rio Grande project 593
- Dallas, exposition at. *See* Greater Texas and Pan American Exposition.
- Fort Bliss, construction at, authorized 858
- Fort D. A. Russell, construction at, authorized 860
- Fort Sam Houston, construction at, authorized 859
- Lake Sabine, time extended for bridging, at Port Arthur 630
- Marshall Ford Dam, construction, operation, etc., authorized under Department of the Interior 850
- River and harbor improvements authorized 848
  - Preliminary examinations authorized 854, 878
- Sabine-Neches Waterway, portion of improvement project abandoned at Beaumont 856
- Turtle Bay and Turtle Bayou declared non-navigable waterways; existing project abandoned 28

Texas and Louisiana Intracoastal Waterway, Tex., improvement authorized 848

Texas Centennial Commission, Greater Texas and Pan American Exposition Commission, transfer of certain contracts and unexpended balances to 60

Texas City Channel, Tex.:
- Examination authorized 854
- Improvement authorized 848

The Dalles, Oreg., time extended for bridging Columbia River, at 27

The Narrows, Wash., time extended for bridging Puget Sound at 474

Page

Third Assistant Postmaster General, Office of. *See* Post Office Department.

Third Deficiency Appropriation Act, fiscal year 1937 755

Thomas Jefferson Memorial Commission, appropriation for 759

Thomas Jefferson's Birthday, President authorized to proclaim April 13 of each year in commemoration of 668

Thurberia Weevil Control, appropriation for 417

Tobacco, stocks and standards, appropriation for collection of statistics on 426

Tobacco Act, 1934, appropriation for refund of taxes erroneously, etc., collected under 230

Tobacco Inspection Act, appropriation for administration 425

Topographic Surveys, appropriation for 598

Town River, Md., examination authorized 852

Town River, Mass., improvement authorized 845

Trade Commission. *See* Federal Trade Commission.

Trade Mark Bureau, Inter-American, appropriation for contribution 267

Trading With the Enemy Act, Amendment, reciprocal release of sequestrated property 748

Trail, B. C., smelter-fumes controversy, waiver of provisions of Criminal Code relating to employment of counsel 198

Transatlantica Italiana, appropriation for payment of interest on judgments 18

Treasurer of the United States, Office of. *See* Treasury Department.

Treasury Building, D. C., renewal of wiring system, etc 774

Treasury Department. *See also* Secretary of the Treasury.
- Appropriation for—
  - Accounts and Deposits, Office of Commissioner of 140
  - American Printing House for the Blind 155
  - Appointments, Division of 141
  - Budget, Bureau of the 142
  - Chief Clerk and Superintendent 138
  - Coast Guard 145
  - Comptroller of the Currency, Office of 143
  - Contingent, etc., expenses 138
  - Customs, Bureau of 141
  - Engraving and Printing, Bureau of 147
  - Federal Alcohol Administration 144
  - General Counsel, Office of 138
  - Government Losses in Shipment Act, shipment fund 471

Treasury Department—Continued. Page
Appropriation for—Continued.
Internal Revenue, Bureau of 143
Mint, Bureau of the 151
Narcotics, Bureau of 144
Printing, Division of 139
Procurement Division—Branch of Supply 154
Procurement Division—Public Buildings Branch 151
Public Debt Service 141
Public Health Service 148
Research and Statistics, Division of 137
Secretary, Office of 137
Secret Service Division 147
Counterfeiting, etc., suppression of 147
President, protection, etc., of 147
White House Police, salaries, uniforms, etc 148
Treasurer, Office of 142
Deficiency appropriation for—
Accounts and Deposits, Office of Commissioner of 14, 772
Audited claims 17, 236, 779, 782
Budget, Bureau of the 14
Coast Guard 14, 230, 772
Customs, Bureau of 230
Damage claims 15, 232, 772, 776
Engraving and Printing, Bureau of 14
Internal Revenue, Bureau of 230
Processing, etc., taxes, refunds 230
Judgments 15, 16, 234
Mint, Bureau of the 136, 231
Cohan, George M., medal 231
Ellsworth, Lincoln, medal 231
Narcotics, Bureau of 230, 772
Printing and binding 229
Printing, Division of 229
Procurement Division—Public Buildings Branch 14, 231, 773
Los Angeles, Calif., post office, etc., cost limit increased 14
Peoria, Ill., post office, etc., cost limit increased 14
Springerville, Ariz., forestry and post office building, cost limit increased 14
Public Debt Service 230
Public Health Service 772
National Cancer Institute Act 772
Venereal Diseases, Division of 772
Secretary, Office of—
Adjusted Compensation Payment Act, administrative expenses 229
Collision damage claims, Coast Guard and Public Health Service vessels 772
Damage claims 229

Treasury Department—Continued. Page
Deficiency appropriation for—Contd.
Secretary, Office of—Continued.
Federal Farm Mortgage Corporation, payments on account of reductions in interest rate on mortgages 771
Federal land banks, payments on account of interest rate reductions on mortgages 14, 771
United States Housing Authority, subscription to capital stock 772
Treasurer of the United States, Office of 772
National Bank Associations, refund of excess duty 772
Adjusted Compensation Payment Act, advances to Post Office Department for expenses in handling bonds, authorized 229
Antietam, Battle of, commemorative coinage authorized 306
Assignment of officers, etc., as inspectors of buildings abroad 273
Check clearance expenses, transfer of sums for 155
Civilian Conservation Corps, transfer of funds for check-clearing, etc., expenses authorized 773
Coast Guard. *See* separate title.
Dallas, Tex., exchange of certain lands in connection with parcel-post building site 206
Distilled spirits, bottle stamps, etc. *See* Bottling in Bond Act, Amendments.
Federal Home Loan Bank Board, transfer of funds of banks, etc., under supervision of, for check-clearing, etc., expenses, authorized 773
Glasgow, Mont., limit of cost increased, proposed Federal building at 837
Golden Gate International Exposition, importation of dutiable articles for exhibition purposes free of duty; regulations 187
Greater Texas and Pan American Exposition, importation of dutiable articles for exhibition purposes free of duty; regulations 55
Great Lakes Exposition, importation of dutiable articles for exhibition purposes free of duty; regulations 240
Green Bay and Mississippi Canal Co., relinquishment of easement granted by 547
Hudson Falls, N. Y., exchange of land for post-office site authorized 202
Hunting Island Lighthouse Reservation, S. C., conveyance to Beaufort County 651

Page

Treasury Department—Continued.
- International Petroleum Exposition, Tulsa, Okla., importation of dutiable articles for exhibition purposes free of duty; regulations 742
- Louisville, Ky., limitation on sale price of old post office, etc., repealed 547
- Marihuana Tax Act of 1937. *See* separate title.
- Minor coin metal fund, amount increased 647
- Naval Records and Library, Office of, Navy Department, investment of trust funds of, authorized 25
- New York World's Fair 1939, importation of dutiable articles for exhibition purposes free of duty; regulations 668
- Norfolk, Va., commemorative coinage authorized 322
- Oakland, Calif., disposition of post office building and sale of site 65
  - Conveyance of portion to city, authorized 65
- Oil World Exposition, Houston, Tex., importation of dutiable articles for exhibition purposes free of duty; regulations 740
- Pennsylvania, issue of duplicate check to Treasurer in lieu of lost original 66
- Railroad Retirement Act of 1937—
  - Payments by, upon certification by Board 315
  - Railroad Retirement Account, establishment 316
    - Actuarial Advisory Committee; selection, duties 317
- Shenandoah Memorial, Ava, Ohio, location modified 557
- Smith, James Reuel, acceptance of certain bequests authorized 647
- Special Mexican Claims Commission, payment of awards certified by 785
- Tax Evasion and Avoidance, Joint Committee on, furnishing of data to, by 253
- Typewriters, prices of standard machines 155
- Unemployment compensation, payments to States which enacted approved laws in 1937 754
- United States securities, division of award for paper for, authorized 141
- West Point Military Reservation, N. Y., jurisdiction over portion transferred to 741

"Treaties, Conventions, International Acts, and Protocols, Between the United States and Other Powers", pay, compiler of supplement to 755

Page

Trenton, N. J., time extended for bridging Delaware River, near 21

Trenwith, Edward J., payment to, for services 755

Tripler General Hospital, Hawaii, construction at, authorized 861

Trusts, tax on. *See* Income Tax.

Tulip, U. S. ship, memorial to officers, etc., Saint Inigoes Bay, Md., appropriation authorized for 259
- Appropriation for 767

Tulsa, Okla., International Petroleum Exposition at. *See* separate title.

Turkey, appropriation for ambassador to 263

Turkey River, Iowa, examination authorized 879

Turtle Bay and Turtle Bayou, Tex., declared nonnavigable waterways; existing project abandoned 28

Tuscumbia, Ala., title of certain land relinquished to city or owners of equitable title 651

Twin River Point Lighthouse Reservation, Wis., conveyance of, to State 545

Tybee Island, coast of Georgia, establishment of Coast Guard station 205

Tygart River, W. Va., examination authorized 879

U

Uinta National Forest, Utah, appropriation for soil erosion control 413

Ukiah, Calif., appropriation for latitude observatory 293

Uncompahgre, etc., Utes, Utah, appropriation for irrigation 579

Uncompahgre Indian Reservation, Utah, appropriation for flood control 580

Unemployment Census, taking of, directed; completion on or before April 1, 1938 883

Unemployment Compensation, payments to States which enacted approved laws in 1937 754

Unemployment Compensation Administration, appropriation for grants to States 344

Unga Harbor, Alaska, examination authorized 855

Uniform Sales Act, D. C. *See* District of Columbia.

Union Catalogues, appropriation for preparation 182

Union of South Africa, appropriation for minister to 263

Union of Soviet Socialist Republics, appropriation for ambassador to 263

Union Terminal Co., Dallas, Tex., exchange of certain land in connection with parcel-post building site 206

United Confederate Veterans' 1937 Reunion, attendance of Marine Band; appropriation authorized ... Page 200
Appropriation for ... 250
United States Code, appropriation for preparation ... 177
United States Constitution Sesquicentennial Commission:
Additional appropriation authorized ... 694
Appropriation for ... 756
Availability of funds previously appropriated ... 214
Director General, appointment; status ... 695
Printing and binding outside Government Printing Office ... 695
Sale of publications, appropriation of receipts as revolving fund ... 695
"The Story of the Constitution", purchase and distribution ... 695
United States Court for China, appropriation for ... 277
United States Court of Appeals for the District of Columbia, representation of, at annual conference of senior circuit judges ... 473
United States Courts. *See also* Judicial Districts; Justice, Department of.
Assignment of judges within circuit to a district in case of disability, etc ... 753
From other circuit by Chief Justice ... 753
Claims, Court of—
Five Civilized Tribes, amendment to petitions permitted in suits under Jurisdictional Acts ... 650
Mississippi River, claims of contractors for excess construction costs submitted to ... 533
Perth Amboy, N. J., submission of claim of ... 838
Constitutionality of Acts of Congress—
Direct appeal to Supreme Court where United States a party and decision against ... 752
Injunction suspending, etc., enforcement of Act on constitutional grounds, determination by three judge court ... 752
Temporary order by single judge to prevent irreparable damage ... 752
Intervention by United States in cases concerning ... 751
Court of Appeals for District of Columbia, representation of, at annual conference of senior circuit judges ... 473
Grand jury extensions by district judges ... 748
Judges, assignment within circuit to a district in case of disability, etc ... 753
From other circuit by Chief Justice ... 753
Jurors, per diem fee restored ... 647
State taxes, jurisdiction of suits relating to collection of; pending suits not affected ... 738
Supreme Court of the United States. *See* separate title.
United States Delaware Valley Tercentenary Commission, appropriation for ... 272
United States Employment Service:
Appropriation for—
Administrative expenses ... 302
Payments to States ... 302
United States Housing Act of 1937:
Alley Dwelling Authority, availability of funds for ... 899
Annual contributions in assistance of low rentals; conditions ... 891
Capital grants in assistance of low rentals; conditions ... 893
Declaration of policy ... 888
Definitions ... 888
Federal projects, disposal of ... 894
Financial provisions ... 897
Appropriation authorized; funds available ... 897
Capital stock subscription by United States ... 897
Appropriation for ... 772
Obligations, issuance authorized ... 898
Housing Authority, creation of, in Department of the Interior ... 889
Administrator, employees, appointment of ... 889
Expenditures authorized ... 890
General powers ... 894
Contracts and agreements ... 895
Family dwelling units, cost limitation ... 896
Foreclosure, etc ... 894
Labor standards ... 896
Standards for preserving low rentals ... 895
Housing or slum-clearance projects, transfer to ... 890
Principal office; branches; corporate powers ... 890
Research and reports ... 891
Low rentals—
Annual contributions in assistance of ... 891
Capital grants in assistance of ... 893
Low-rent-housing projects, loans for; maximum amount ... 891
Penalty provisions ... 899
Slum-clearance projects, loans for; maximum amount ... 891
United States Maritime Commission. *See* Maritime Commission.

United States Public Health Service. See Public Health Service. Page

United States Shipping Board, Emergency Fleet Corporation, deficiency appropriation for payment of judgments 16, 234

United States Soldiers' Home, appropriation for maintenance 519

Upper Mississippi River Wildlife Refuge, appropriation for maintenance 420

Upper Newport Bay, Calif., examination authorized 855

Upper Thoroughfare, Deals Island, Md., improvement authorized 846

Uruguay, appropriation for minister to 263

Utah:
- Appropriation for—
  - Bryce Canyon National Park, administration, etc 604
  - Indians, support, etc., of 572, 579, 580, 585, 587, 590
  - Ogden River project, construction 595
  - Provo River project, construction 595
  - Zion National Park, administration, etc 606
- Exchange of lands with, authorized 637
- Fort Douglas, construction at, authorized 858
- Kanosh Indian Reservation, area enlarged 239
- Koosharem Indian Reservation, area enlarged 241
- Lands, exchange of, with United States, authorized 637
- Shivwitz Indian Reservation, area enlarged 239

Ute Indians, Confederated Bands of, payment to 573

V

Valley Creek, Ala., examination authorized 854

Van Wyk, Harry, payment of claim 18

Venereal Diseases, Division of. See Treasury Department, Public Health Service.

Venezuela, appropriation for minister to 263

Ventura River, Calif., examination authorized 880

Vermont, Fort Ethan Allen, construction at, authorized 858

Vessels. *See also* Seamen; Navigation.
- Arrivals to take on stores, formal entry not required 638
- Clearance of certain, at night, Sundays and holidays, at ports where report of arrival, etc., is required 303
- Marine casualty investigations, misconduct or incompetency; suspension or revocation of license; appeal 544
- Panama Canal, measurement of, for determination of tolls 750
- Passenger tolls 751
- Radio equipment and operators. See Communications Act of 1934, Amendments.
- Sprinkler systems, time extended for installation of, on certain 477

Veterans. *See also* Veterans' Administration; World War Veterans.
- Civilian Conservation Corps, number authorized as enrollees 320
- Emergency Relief Appropriation Act of 1937, preference in employment under 355
- Indian Wars, rates of pensions for 786
- Peacetime, protection of pension benefits to, placed on rolls after Mar. 19, 1933 798
- Spanish-American War, Philippine Insurrection and Boxer Uprising, honorable discharges to, discharged for age, etc., misrepresentation 203

Veterans' Administration. *See also* Veterans; World War Veterans.
- Appropriation for—
  - Adjusted service and dependent pay 347
  - Insurance, military and naval 347
  - Medical, hospital and domiciliary services 345
  - Pensions 347
  - Printing and binding 347
- Deficiency appropriation for—
  - Adjusted service and dependent pay 11
  - Audited claims 17
  - Damage claims 775, 776
  - Judgments 16, 233, 777
- Ford, Henry and Clara J., acceptance of certain property donated by 54
- New construction, restriction on 347
- Reserve officers and Enlisted Reserves, pension laws for peace-time service extended to 305

Veterans of Foreign Wars, loan of Army equipment for use at National Encampment, 1937 168

Vice President of the United States:
- Appropriation for—
  - Compensation 329
  - Mileage 170
  - Office of 170
- Member of the Greater Texas and Pan American Exposition Commission 58

Vinton Waterway, La., improvement authorized 847

Virginia:
- Appropriation for administration, Shenandoah National Park 605

Virginia—Continued. Page
Bridge authorized across Potomac River, in Loudoun County 250
Fort Monroe, construction at, authorized 860
Fort Myer, construction at, authorized 860
Fort Myer Military Reservation, conveyance of portion to State, for highway purposes 203
Potomac River, time extended for bridging, at Dahlgren 241
Potomac Valley conservancy district, consent of Congress given to negotiation of compact for creation of 884
River and harbor improvements authorized 846
Preliminary examinations authorized 852, 853
Shenandoah National Park, police power assumed by United States; notification to State 700
Virgin Islands:
Appropriation for—
Agricultural experiment station, etc., maintenance 613
Municipal governments, defraying deficits of 613
Salaries, Governor, etc 613
Deficiency appropriation for salaries 765
Marihuana Tax Act of 1937, provisions made applicable to 556
River and harbor improvements authorized 850
Sugar Act of 1937, basis of determination of quota under 905
Vocational Education, appropriation for 610
Vocational Education, Federal Board for, appropriation for 223
Vocational Rehabilitation:
Appropriation for 610
District of Columbia, additional annual appropriation for, authorized 69
Appropriation for 765

W

Wabash River:
Bridge authorized across, at Lockport, Ind 542
Time extended for bridging, at Merom, Ind 475
Wahpeton, N. Dak., appropriation for education of Indians 583
Wake Island, improvement authorized at 850
"Waleda II", boat, appropriation for purchase of 289
Walker River Irrigation District, appropriation for compensation of special master in case against 225
Walker River Irrigation Project, Nev., appropriation for Page 577
Wallace, Idaho, appropriation for care of graves of firefighters 412
Walnut Bayou, Ark., examination authorized 878
Wapato Indian Reservation, Wash., appropriation for flood control 580
War Department. *See also* Army; Secretary of War.
Appropriation for—
Adjutant General's Department 445
Command and General Staff School, Fort Leavenworth, Kans 445
Welfare of enlisted men 445
Air Corps 455
Army War College 445
Cavalry, Chief of 459
Cavalry School, Fort Riley, Kans 459
Chemical Warfare Service 459
Citizens' Military Training 465
Coast Artillery, Chief of 460
Coast Artillery School, Fort Monroe, Va 460
Seacoast defenses 460
Contingencies, Army 444
Contingent expenses, Department 443
Engineers, Corps of 457, 516
Engineer School, maintenance, etc 458
Field Artillery, Chief of 459
Field Artillery School 459
Flood control 517
Rivers and harbors 516
Finance Department 445
Courts martial, expenses 448
Deserters, etc., apprehension of 448
Finance Service 448
Pay of the Army 445
Private property, payment of claims for damage, etc 448
Travel of the Army 447
General Staff Corps 444
Field exercises 445
Military Intelligence Division 444
Infantry, Chief of 459
Infantry School, Fort Benning, Ga 459
Insular Affairs, Bureau of 516
Philippine Islands, United States High Commissioner to 516
Medical Department 457
Canal Zone garrisons, hospital care 457
Military Academy 460
National Board for Promotion of Rifle Practice 467
National Guard 461
Ordnance Department 458
Arsenals, repair 458
Rock Island Bridge, Ill., operation, etc 458

Washington: Page
Appropriation for—
Grand Coulee Dam, construction 597
Indian irrigation projects 577
Indians, support, etc., of 577, 579, 580, 582, 585, 587, 590
Mount Rainier National Park, administration, etc 605
Yakima project, operation, etc 594
Construction 595
Bonneville project. *See* separate title.
Bridge construction authorized, Columbia River, Puget Island-Cathlamet 251
Columbia National Forest, lands added 622
Grand Coulee Dam project, prevention of speculation in prospectively irrigable lands, acceptance of certain provisions by State 210
Jefferson County, conveyance of certain land in, to State 665
Puget Sound, time extended for bridging, at The Narrows 474
River and harbor improvements authorized 849
Preliminary examinations authorized 855, 880
Snake River, examination authorized 26
Time extended for bridging, at Clarkston 477
Snoqualmie National Forest, lands added to 739
Whitman County included in northern division of eastern judicial district 260
Yakima Indian Reservation, extension of period of trust on certain allotted lands 210
Washington Commerce Service, appropriation for 285
Washington, D. C. *See also* District of Columbia.
Appropriation for—
Model testing plant 111
Navy Yard, improvements 110
Washington Island, Wis., improvement of harbors at 848
Washita River, Okla.:
Examination authorized 878
Studies directed for development of reclamation projects 718
Water Storage and Utilization, arid and semiarid areas, promotion of 869
Waterways Treaty, United States and Great Britain, appropriation for expenses under 270
Weather Bureau. *See* Agriculture, Department of.
Weekiwachee River, Fla., examination authorized 853
Weights and Measures, International Bureau of, appropriation for contribution 267
Weights and Measures, International Committee of, appropriation for expenses, American member 289
Welles Harbor, Midway Island, improvement authorized 850
Wellfleet Harbor, Mass., examination authorized 851
Wellpinit, Wash., appropriation for school building construction 582
Werner Cut, Calif., examination authorized 855
Westcott Cove, Conn., examination authorized 851
Western Shoshone Indian Reservation, Nev., appropriation for flood control 580
Western Shoshone Irrigation Project, Nev., appropriation for 577
West Point Military Reservation, N. Y., jurisdiction over portion transferred to Treasury Department 741
West Point, N. Y., appropriation for acquisition of land 452
Westport Slough, Oreg., improvement authorized 849
West Virginia:
Bridge authorized across Potomac River, at—
Morgan County-Hancock, Md 476
Shepherdstown 475
Judicial districts, times for holding court changed 744
Potomac Valley conservancy district, consent of Congress given to negotiation of compact for creation of 884
Rivers and harbors, preliminary examinations authorized 878, 879
Whaling Treaty Act, appropriation for expenses 296
Whatcom Creek, Wash., examination authorized 880
Wheat Advisory Committee, International, appropriation for contribution 432
Wheelock Academy, Okla., appropriation for education of Indians 583
Whitaker, Pa., time extended for bridging Monongahela River at 245
White House Police, appropriation for salaries, uniforms, etc 148
White Lake, La., improvement of waterway from, to Pecan Island 848
White River, bridge authorized across, at Eagle Rock, Mo 20
White River, S. Dak., examination authorized 879
Whitewater River, Calif., examination authorized 880

Page

Whitewater River, Minn., examination authorized 879

Whitings Creek, Va., examination authorized 852

Whitman County, Wash., inclusion of, in northern division of eastern judicial district 260

Wichita Mountains Wildlife Refuge, appropriation for maintenance 420

Wicomico River, Md., improvement authorized 846

Wildlife Restoration Projects:
- Federal cooperation with States with respect to 917
- Administrative expenses 918
- Definitions 917
- Maintenance by States 919
- Report to Congress 919
- Special fund set apart; use of balances 917
- Statement of proposed projects to be furnished by States; approval 918
- Payments upon completion; installments during construction 919

Willamette River, bank protection, tributaries added 880

Williams, Mercedes V. de, and others, appropriation authorized for payment to Nicaragua for account of 133
- Appropriation for 769

Willow Creek, Oreg., examination authorized 880

Wilson Harbor, N. Y., examination authorized 855

Winchester, Va., post office, limit of cost increased 774

Wind Cave National Park, S. Dak., appropriation for administration, etc 606

Wind River Indian Reservation, Wyo., appropriation for irrigation 579

Wind River Irrigation Project, Wyo., acquisition of certain lands of Shoshone Indian Reservation for 700

Wisconsin:
- Appropriation for—
  - Indians, support, etc., of 585, 587, 590
  - Mississippi River, time extended for bridging, at La Crosse 94
  - River and harbor improvements authorized 848
  - Preliminary examinations authorized 854, 879
  - Twin River Point Lighthouse Reservation, conveyance to State 545

Witnesses, United States Courts:
- Appropriation for fees, etc 278, 766
- Per diem fee, reduction continued 282

Women's Bureau. *See* Labor, Department of.

Page

Woods Creek, Va., examination authorized 852

Wool Marketing Studies, appropriation for 427

Work Relief. *See* Emergency Relief Appropriation Act of 1937.

Works Progress Administration. *See also* Emergency Relief Appropriation Act of 1937.
- Deficiency appropriation for damage claims 15, 232, 775, 776
- World War relics, etc., at Fort Eustis, Va., loan or gift to American Legion Museum, Newport News, Va. 252

World Jamboree. *See* Boy Scouts of America.

World's Poultry Congress and Exposition, Seventh, sum authorized for Federal participation 550
- Appropriation for 771

World War Memorials, Europe, appropriation for dedication expenses 324
- Official delegation 324

World War Records, appropriation for compiling 117

World War Veterans. *See also* Veterans; Veterans' Administration.
- Aliens, naturalization of certain, residing in United States, extension of privilege 743
- Death compensation awards, effective date of 661
- Disappearance of incompetent, receiving compensation; payment to dependents 662
- Permanent disability for insurance purposes, definition 661
- "Widow of a World War veteran" defined 661
- Widows and children, compensation when veteran receiving service-connected benefits at time of death 660
- Death compensation, rates 660
- Evidence and adjudication of claims 660
- World War service, period defined 661

World War Veterans' Act, Amendment, five-year level-premium term policies, renewals for further period 241

World War Veterans' Act of 1924, Amendment, permanent disability for insurance purposes, definition 661

Wrangell Harbor, Alaska, examination authorized 855

Wyaconda River, Mo., examination authorized 879

Wyoming:
- Appropriation for—
  - Casper-Alcova project, construction 595
  - Grand Teton National Park, administration, etc 604

Wyoming—Continued. Page
Appropriation for—Continued.
Indians, support, etc., of 575, 579, 585, 590
Riverton project, construction, operation, etc 594, 596
Shoshone project, construction, etc 594, 596
Yellowstone National Park, administration, etc 606
Casper-Alcova project, designation changed to Kendrick 595
Fort Francis E. Warren, construction at, authorized 860
North Platte project, operation of commercial system, amount available for 593
Sale of certain lands by, price limitation changed 802
Yellowstone River, consent of Congress given to interstate compact with Montana for division of waters of 551

Y

Yakima Indian Reservation, Wash.:
Appropriation for operation, etc., Wapato system 579
Extension of period of trust on certain allotted lands 210
Yakima Project, Wash., appropriation for operation, construction, etc 594, 595
Yaquina Bay and Harbor, Oreg., improvement authorized 849
Yards and Docks, Bureau of. *See* Navy Department.
Yazoo River Project, modification authorized 880
Yellowstone National Park, Wyo., appropriation for administration, etc 606
Yellowstone River:
Division of waters of, consent of Congress given to interstate compact, Montana and Wyoming 551
Examination authorized 878
Yosemite National Park, Calif.:
Appropriation for administration, etc 606
Acquisition of lands for addition to 485
Appropriation for 764
Youghiogheny River, Pa.:
Examination authorized 878
Time extended for bridging, at McKeesport 245
Young Men's Christian Association, D. C., incorporation of Southeastern University approved 697
Yugoslavia, appropriation for minister to 263
Yuma Indian Reservation, Calif., appropriation for reclamation, etc., charges 578
Yuma Project, Ariz.-Calif.:
Appropriation for—
Colorado River front work and levee system 596
Operation, etc 593

Z

Zioncheck, Marion A., payment to widow of 9
Zion National Park, Utah, appropriation for administration, etc 606
Zumbro River, Minn., examination authorized 879
Zuni Indian Pueblo, N. Mex., appropriation for repairs, Zuni Dam 222

○

W
3457